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# Commissioner of Official Languages

Third  
Annual  
Report

1972·1973







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Commissioner  
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Official  
Languages

Third  
Annual  
Report

1972-1973







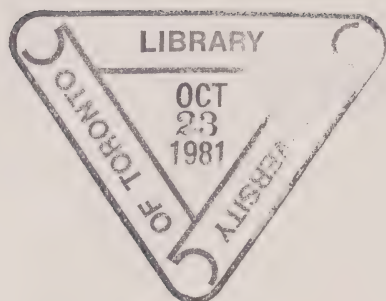
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Third  
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COMMISSIONER OF OFFICIAL LANGUAGES

Ottawa K1A 0T8

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Information Canada  
Ottawa, 1974

Cat. No. SF1-1973

The Speaker,  
Senate,  
Ottawa

Madam Speaker,

Pursuant to Section 34 (1) of the Official Languages Act, I hereby submit to Parliament through your good offices the third annual statement relating to the discharge of my duties under this Act, covering the fiscal year 1972-73.

Yours respectfully,

A handwritten signature in dark ink, reading "Keith Spicer". The signature is written in a cursive, flowing style. The first name "Keith" is written with a large, prominent 'K' and a small 'i'. The last name "Spicer" is written with a large 'S' and a small 'i' at the end.

*Commissioner of Official Languages*

March 1974






The Speaker,  
House of Commons,  
Ottawa

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*Commissioner of Official Languages*

March 1974



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## Preface

This report tells more than most parliamentarians might really care to know about "bilingualism". Two reasons lead my colleagues and me to write still more this year than last. First, Members of Parliament in committee have asked me to specify, by department or agency, how well or badly implementation of the Official Languages Act is going. Second, having complained so long about the lack of progress toward linguistic equality, I think it is time to produce more facts to show that we are not invariably crying wolf.

In general, this report confirms that too many federal services taken for granted everywhere in Canada in English continue to be denied to French-speaking Canadians in their language, or allowed to them merely as an inconvenient concession. In addition to this inequality, figures on opportunities for work in the government, while improving somewhat, again show a distressing lopsidedness. In 1973, job openings in the federal public service were still nearly seven times more numerous for unilingual English-speakers than for unilingual French-speakers: of 98,515 jobs filled that year under the Public Service Employment Act (and excluding the 7.6 per cent of these jobs requiring both languages), 76 per cent demanded only English, while 11.6 per cent called only for French. For the 27 per cent of Canada's people speaking French as a mother tongue, this is not exactly a linguistic coup d'État. . .

Once again I am happy to report that virtually all the departments and agencies we have dealt with, among the 180-odd institutions covered by the Official Languages Act, gave us, though to widely varying degrees, their co-operation. Never in the past nearly four years have I found it necessary to use the exceptional coercive powers of the Act's Section 30: low-key, if sometimes triflingly testy, diplomacy still seems the best way of getting the job done.

What is new this year, though consistent perhaps with our past work, is our systematic attempt to give parliamentarians, press and public plain answers about who, in the roughly half-million-member universe of the federal government, is fulfilling Parliament's wish for linguistic fair play and who is not. My first report set out our philosophy and methods; the second listed several hundred recommendations (my main substantive power as linguistic "ombudsman" and "auditor-general"); this one, without illusions of infallibility, tries to document what happened to those and subsequent recommendations—that is, to measure the precise degree of progress in as many institutions as we could cover responsibly this year.

From the outset, in April 1970, I never thought of my annual report to Parliament as a catalogue of crimes against bilingualism. This year, the first when my colleagues and I have tried as thoroughly to assess federal institutions' respect for Canada's Official Languages Act, we throw roses as well as rocks; why shouldn't the linguistically law-abiding get credit where due?

This document officially covers the fiscal year ending 31 March 1973. To keep our information from gathering archival dust even before being tabled, we decided to extend our reporting year for "follow-up" data to 30 September 1973. Indeed, giving in to the insidious temptation to race against the treadmill of still-more recent and relevant data, we have sometimes—and almost always to the benefit of genuine reformers—sneaked in news conveyed to us in January, and even mid-February, 1974.

For all its discouraging thickness, this report tries to be handy. Chapter I sums up personal, and admittedly sometimes impressionistic, views on a few matters of general interest. Chapter II gives some notion of what it is like to live (and occasionally work) in the eye of the linguistic storm. And Chapter III, discreetly indiscreet, seeks to tell, wherever evidence allows, what my colleagues and I, as reluctant but dutiful dragons (with the help of many vigilant citizens), have seen in the nooks and crannies of a State committed to the equal dignity of our two language communities. This, with scrupulous impartiality, of course, in alphabetical order.

The report being long, its preface shall be short.

K. S.

## Chapter I

### SOME THOUGHTS ON THINGS BILINGUAL

This year's summing-up chapter, like its two predecessors, indulges the Commissioner's penchant for more or less constructive meddling. Offering Parliament and public some focus here on half a dozen questions he thinks timely, the Commissioner tries to help resolve a small irony of our data-drenched society: we know too little and yet, sometimes, we know too much.

In matters linguistic, as in others, many people seek a middle ground of information between capsule comment and fastidious accounting. It seems useful to suggest trends or changes which the concerned, though less than obsessed, student of language questions may care to watch. Hence, for busy parliamentarians and other observers, the following review of a few questions perhaps of interest today and for the months ahead. Needless to say, this year's bird's-eye view of what appears to be happening to our official languages rests no more than the Commissioner's sketches of earlier years on any Olympian authority. It mirrors just the fairest impressions that he and his colleagues can form for now on a few points they think deserve wider discussion.

Starting with a context-setting little safari through Ottawa's bureaucratic jungle with a diplomatically dull machete, we move on through some ideas on Parliament's official-languages resolution of June 1973, and the still perilous plight of French-speaking federal employees. Next, the Commissioner makes his ritual, and self-righteous, assault on the government's information effort. Finally, he continues to mutter prophecies of doom on the dismal state of second-language teaching in Canada, but this year trying harder to glimpse auguries that some salvation may be at hand.

## *A. The Bureaucratic Jungle Revisited: Darwin Said It All*

Hacking through the jungle this year causes a little less bewilderment: several previously scattered responsibilities now sit in the delicately intertwined hands of the Public Service Commission and Treasury Board. After commenting on this more effective concentration of energies, the Commissioner summarizes a few problems these and other agencies face in advancing linguistic equality, and comments briefly on an unusual complaint he received about the government's previous handling of the Official Languages Act.

### *1. Sabu and Simba: Such Good Friends*

In last year's report, the Commissioner tried to sketch out a simple road map for Ottawa's lush rain forest of linguistic jurisdictions. He identified seven main centres of responsibility and summarized their duties. He hopes this cartographic exercise (reprinted with a layman's guide to the Act for federal employees) is helping a few to sidestep the quicksands of confusion which lurked before all who sought straight answers to questions of language.

This year, it makes sense to concentrate on two central agencies, the Public Service Commission and the Treasury Board. This focus does not mean that the law of the jungle has enabled these agencies to gobble up the others. It merely mirrors the consolidation of management structures which they now embody and which, leaving behind the feebly orchestrated chaos of yesteryear, gives hope (if not assurance) of a long-overdue coherence in the government's action.

For some fifty years, the Public Service Commission has defended hiring and promotion based on competence, in recognized independence from the government of the day. The last phrase of Parliament's June 1973 resolution approving nine principles to guide managers of the Official Languages Act does not abolish the survival of the fittest (classically termed the "merit principle") which the PSC is committed to uphold; but it plainly incites the PSC to mesh its defence of excellence with the executive branch's need to govern expediently—in a word to climb into a cosier tent with the government. The resolution approves "... the Treasury Board and the Public Service Commission, taking the measures required to give effect to the aforementioned Principles ..."

The success of this joint effort to translate Parliament's new principles into practice for some 250,000 public servants will turn on many factors. One is the still-to-be-proven boldness and realism of the government's policies, which the Commissioner briefly speculates



on in a later section on some possible effects of the resolution. But a breakthrough in linguistic justice will depend greatly too on the delicate mechanism of co-operation which the two central management agencies have now set up. This mechanism rests on a supple and informal understanding between the people at the top of each agency and on a clear delimitation of each agency's responsibilities.

In the eight months since Parliament passed its resolution, the two or three persons at the top of the PSC and Treasury Board have been thrown into consultations of unprecedented intimacy and frequency. Inevitably, frictions still occur between "technicians" of each agency; but being flung together onto centre stage has brought upper management to resolve overlapping jurisdictions, minor quarrels of ideology and occasional fits of bureaucratic imperialism through weekly, sometimes almost daily, informal summit meetings.

But of more basic interest to explorers of the official-languages jungle is the demarcation of territories of responsibility. Even while working in close tandem on all major aspects of the resolution's implementation, the PSC and Treasury Board carry distinct duties.

#### *a) Sabu Rides Again: But Is the PSC Elephant Aerodynamic?*

As of this report's tabling, the Commissioner's staff is carrying out a wide-ranging special study of the PSC's role as a central agency implementing the Official Languages Act. The results of this study will appear in next year's report. Meanwhile, one can summarize the PSC's four specific functions related to Parliament's resolution of June 1973:

1. With departments, determine the levels of language knowledge, and abilities required for individuals and/or groups of position(s);
2. Determine the level of language knowledge of individuals;
3. Provide language training;
4. Hear appeals against language qualifications required when a competition process is undertaken to fill vacant positions.

These duties are in addition to the PSC's main job of staffing the public service. The PSC is of course still bound by the Public Service Employment Act to ensure that (as Parliament's Principle 3 reaffirms) "a knowledge of English and French is one of the elements of merit in the selection of candidates for bilingual positions." Later in this chapter, in reviewing some aspects of the resolution, the Commissioner will touch on a misunderstanding which may result from the new interpretation of "linguistic merit" in Principle 4.

The PSC's four basic language duties lay on it immense new burdens, which will require not only tireless attention to the detail of great numbers of individual cases but a strong-nerved, long-term financial commitment by the Treasury Board. Dealing with nearly a

quarter of a million public servants has already accustomed the Commission to offering tender loving care to the "little man" or woman who needs advice or redress. But devising credible and adaptable techniques for evaluating precise degrees of language skills needed for a given job, and facing the controversial task of measuring the level of language knowledge of perhaps some 40,000 to 50,000 individuals will throw massive new strains on the PSC's imagination and administrative agility. And the PSC's Appeals Branch (which can review the language requirements of a position or an individual's personal language qualifications), a mechanism to be called on in perhaps several hundred cases a year, will require ombudsmanship of a high order. As for the duty (already exercised with less than astounding success for nearly a decade) of providing usable language training, the PSC will now probably have to perform prodigies in finding methods and teachers to meet what is likely to prove a stunningly heavy demand. This demand results from the new rights of unilinguals to try out for "bilingual" jobs and from the new concept of "continuous" (up to 12 months, full time) language training which replaces the old three-week on-and-off sessions cited here last year as the Don Juan in Hell syndrome.

The PSC Language Bureau has been making encouraging progress in its two home-made curricula, *Dialogue Canada* (for English-speakers) and *Contact Canada* (for French-speakers). But the Bureau's more flexible approach, adopted over the past year, of offering up to a dozen different remedies for curing the malady of bureaucratic unilingualism will be tested to the limit. And the widespread cynicism of many public servants about the relevance, cost and usefulness of their courses will no longer allow the PSC to tolerate mistakes, and especially a drop-out rate, on the scale of years past: in the teaching year ending August 1973, the scholastic mortality rate among English-speaking government students of French remained, by the most conservative definition, a worrisome 23.4 per cent.\*

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\* In 1971-72, a survey was conducted in the Language Bureau to discover the reasons for the continuing pattern of drop-outs from language training. The following reasons were given in 2,228 questionnaires which were returned:

—Attained level of bilingualism	20.5%
—Change in departmental priorities	19.9%
—Travel	10.2%
—Transfers to another department	9.7%
—Resignations from public service	7.6%
—Problems in learning	6.6%
—Foreign posting	6.3%
—Following other courses	5.5%
—No precise reason given	5.0%
—Position not requiring second language	3.1%
—Age	2.9%
—Other (health, transportation problems, death, personal difficulties, etc.)	1.9%

Here is where the Treasury Board's nerve will be legitimately strained; without a striking breakthrough in graduation rates, retention and use of second language (let us say French...), the Board's willingness to cough up tens of millions a year for training (and "double-banking" money to cover off the jobs of absent students) may wither. On the other hand, one hopes the Treasury Board, whatever the turnover in its top staff over the next five to seven years, will not leave the PSC holding the financial and political bag by dropping this long-term training priority in favour of some more attractive budgetary fad.

Two notable developments on the language-training front are the fusion of the PSC's Language Bureau with its Bureau of Staff Development and Training; and wider, clearer access to language training. The fusion (creating a new Staff Development Branch), whatever risks it appeared to pose to some PSC French-speaking administrators used to the Language Bureau's autonomy, may present the psychological merit of equating and twinning the need of English-speakers for language training and the long-neglected need of many French-speaking employees for professional development courses in their own language—an essential step to stemming the tide of assimilation into the English-speaking Establishment. It remains to be seen whether this controlled fusion, like the elusive thermonuclear kind, will release vast new reserves of energy; it ought to save some money by pooling pedagogical and administrative services both aimed at upgrading public servants' skills.

Access to language training has recently been improved in two ways. First, Parliament's Principle 9 categorically confirms a right the Commissioner is ungracious enough to recall advocating for the last two years: "... language training, at public expense, will be provided to unilingual public servants as well as to persons who are appointed to the public service to bilingual positions." Language training "on company time and at company expense" strikes the Commissioner as a normal and civilized part of the Canadian Government's language reform; he would only wish that some Crown agencies would draw inspiration from this principle of Parliament—if only because, in the long run, as self-proclaimed profit-oriented firms, they would derive profit from it as well. The other improvement is to eliminate the mandarins' "droit de seigneur" in language training by setting up a new four-tiered system of language-training priorities. This ensures that "... all persons, regardless of their classification level, who wish to become bilingual and who occupy identified or designated bilingual positions have priority in language training." No longer, or less, one trusts, will the taxpayers' money subsidize the linguistic adventures



of lords over those of more needy serfs; feudalism, even in Ottawa, seems to be dying.

But, for the PSC language schools across the country, the Industrial Revolution lies ahead. And the Commissioner devoutly hopes they can avoid the worst evils (already obvious in Ottawa and Hull) of factory-line mass production, and respond to their tens of thousands of new students with the wit and suppleness which, for a very large public, are the price of the schools', indeed the Act's, credibility.

### *b) The Lord of the Jungle: Can a Lion Ride a Tiger?*

In his first two reports, the Commissioner dropped rather heavy hints that the government ought to back its prophecies of linguistic paradise with more high-level administrative brawn. After the Act's being in effect for four and a half years, he is happy to report that the management machine now in place within the Treasury Board Secretariat—the Official Languages Branch—promises at least and at last a serious chance of snatching the Act from its too-long, or too-frequent, limbo. Having learned from his still-junior government experience that it is not easy to lead cavalry charges into swamps, the Commissioner can only congratulate those who, however belatedly, have set in march this rather impressive 47-member team of linguocrats extraordinary.

Judgements on the Branch's ability to move the bilingual mountain must await another year or two. But, for this year's record, it may be worth putting a few paragraphs to paper on the Branch's mandate, structure and concerns, then suggesting a few patterns of inaction the Branch might usefully look into. Three other sections of this report bear upon policy challenges facing the Board's new Branch: the brief review of a rather unusual complaint later in this section; a series of comments on Parliament's resolution of June 1973; and a more detailed report on the Commissioner's special study of the Board's role, in Chapter III—perhaps a little inflatedly termed *A Friendly Read-Out*.

The Board's Official Languages Branch defines its mandate thus: "to develop and communicate the federal government's policies and programs for the application of the Official Languages Act within the Public Service and to monitor their implementation and evaluate their effectiveness." This mandate to manage all aspects of "bilingualism" not allotted to the PSC covers all departments and agencies controlled by the Board under the Financial Administration Act—about a quarter of a million federal employees out of a total of roughly 500,000. This gives the Board a spearheading role of enormous potential, even if perhaps 250,000 other federal employees are left to be helped to meet the need for linguistic reform by the Commissioner, the only

federal official or body assigned to annoy absolutely everybody on this subject.

Details of the Board's mandate fall into five categories. First, in line with Parliament's June 1973 resolution, the Board has worked out policies and guidelines to help its client departments and agencies identify and designate the language requirements of all public service positions. This gigantic task, which mobilized hundreds of officials, especially personnel staff, throughout the government was completed and computerized in the six months ending 31 December 1973. Second, the Board, allied with the PSC, is to assist departments and agencies in any matters linguistic and help them to implement language "strategies and programs"—in many cases still either fragmentary, feeble or non-existent. One hopes this includes telling departments and agencies to move more quickly and coherently on easy-to-settle and inexcusably overdue "visual" reforms affecting items such as signs and forms. Third, following the much less detailed second part of Parliament's resolution, the Board "also develops a number of measures designed to increase the use of the French language throughout the Public Service." The Commissioner does not think he unfairly maligns the Board by noting that it has yet to devote to this vital aspect of language reform one-tenth of the imagination and labour it has invested in implementing part one of the resolution, whose practical thrust (in spite of identical guarantees to both language groups) seems aimed to reassure unilingual English-speaking employees. On this score, he reaffirms his belief that continued inattention to spelling out policies for spreading French as a federal language of work will lead within a year or so to a "French skepticism" far more damaging to the Official Languages Act than the somewhat overblown "English backlash".

A fourth task the Board assumes relates to evaluation of past and present progress. This includes studies (some of which, to the government's dismay, were mysteriously lent to the press), statistical analyses, and general monitoring of the effectiveness of the Board's own and departments' performance. This last function may prove a crucial factor for change if the Board does not hesitate to press departments and agencies with all the authority and financial muscle Parliament has given it. In particular, the Commissioner would be happy if the Board were to put more heat on departments dragging their heels on his recommendations. Through the statutory channel of the Clerk of the Privy Council, the Board gets copies of all the hundreds of recommendations the Commissioner makes each year. Whether or not the Board uses this ready-made leverage, the Commissioner will increasingly "harass" departments on his own, and will fulfill his duty to dump on delinquents, as well as encourage the law-abiding, in his annual reports to Parliament.

The Board's final self-assigned job is information—for "federal employees and other interested publics . . ." The less said here the better, for in the Commissioner's view, the Board has said very little to anybody, at least in language anybody can understand. Reasons for this bilious assessment, as well as notes on some good things the Board is starting to do, are outlined later in this chapter under *Information: At Last, a Little More Light than Heat?*

The structure of the Board's new Official Languages Branch now reflects a strength and a high level in the inevitable hierarchy which the Commissioner, with some others, thought necessary to move the Act to reality. Since last year's report, the Treasury Board's small Bilingualism Division has been upgraded to the status of a full Branch, reporting, as the Commissioner had hoped, to a Deputy Secretary handling this mandate full-time. This beefing up of language administration has led to three main benefits: 1) the Board can now order major changes in departments and agencies without fighting for them up through a complex hierarchy; 2) mandarins as a species, knowing well the symbolic and political importance of the Ottawa pecking order, now see a striking demonstration that the government has finally recognized that language reform commands a high and lasting priority; and 3) from the Commissioner's own narrow viewpoint, the existence of a strong interlocutor from the executive branch is leading to a creative tension which, more euphemistically, might be termed a healthy interplay of ideas. Without either the Board's officials or the Commissioner comprising their responsibilities, it is at last possible to discuss matters between linguocrats from both sides (not forgetting the PSC) able to speak something close to a final word.

It is not the Commissioner's business to analyze the organization chart of the Board's Official Languages Branch and assess its worth; he has enough trouble understanding his own small Office's structure. Suffice it to note that the Branch's three divisions—Policy and Planning, Operations, and Information Programmes—appear to interlock neatly on paper, and may well do so in fact.

What concerns now animate the Board's Official Languages Officers (OLOs)? Since June 1973, their major interest has been the identification and later designation of the language requirements of some 250,000 public service positions. A glance at the heavy tomes of hieroglyphics dropped on the desks of deputy ministers and personnel officers should convince all but the incorrigibly cynical that the Board and its OLOs have been busy. The results of this immense effort to "linguify" every job in the public service hardly indicate a revolutionary advance in the status of unilingual or even bilingual French-speaking Canadians in "their" country's government service. Again one must urge the Board to pay much more care to the parallel concern of



reforming the structures of government—especially by expanding and upgrading French-language units—to make them more congenial to recruitment of unilingual French-speaking citizens wishing to work in French.

The Treasury Board's new language team are undeniably astute, enthusiastic and—a great progress over years past—committed to reform through consultation with unions. The very quality of the Board's staff creates new and much higher expectations of leadership and sensitive but forceful management. These challenges should include finally a systematic use, as agents of change and information, those too-often neglected departmental allies called Bilingualism Advisers.

Strong leadership may at some time bring the Board to insist on reforms in entrenching French as a language of work which may not fit all the hopes and anxieties of Canada's still massively English-speaking public service. Enlightened union leaders will surely support such moves; but the test of will for the Board will prove stressful. If the Board takes its mandate for change as seriously as it proclaims, it should now be able to afford at least as much time on acting to convince French-speaking Canadians that it means business as it has on reassuring English-speaking Canadians that "bilingualism", like dentistry, can be guaranteed painless.

## 2. *Quicksands and Quagmires: Patterns of Immobilism*

The more the Commissioner's staff do studies or investigations, the more they discover universal problems. The outskirts of the official languages jungle may not look the same in each department or agency, but as one explores deeper into it, definite patterns emerge. Hence the common vein in many of the Commissioner's recommendations.

Similar maladies require similar treatment, but always with a little personal care: despite surface sameness in some recommendations, the reader will recognize that because each federal institution offers peculiar traits of its own, the Commissioner's recommendations must try to reflect those peculiarities.

The following are a few patterns noted in recent special studies and complaints investigations dealing with the headquarters of various agencies. Managers of the government's official languages policy in the Treasury Board, Public Service Commission and elsewhere will no doubt recognize familiar problems.

### a) *Tribal Theology: the Gap Between Faith and Deeds*

Most senior administrators at the headquarters of federal institutions appear committed in principle to the Act. In some cases, their

good intentions have found expression in a somewhat broadly stated policy-paper. A few departments, such as Manpower and Immigration, have even shown the commendable care to prepare for employees a detailed guide on official languages.

But drawing up a policy-paper seems easier than giving reality to management's declarations of purpose. The gap between the declaration of purpose and action is often wide. Frequently, such declarations remain at the level of rhetoric, and high officials go through a prolonged ritual of simulated action, no doubt sincerely and satisfyingly, to find ways and means to carry out their goals. In other cases, impressively bound policy-papers become archival artifacts, their currency (though not their application) being extended year by year until they command not reform but veneration. The Official Languages Act contains no provision for measuring change through time-lapse photography; the Act requires reform here, now, as soon as humane personnel management allows. Therefore, the first task in any linguistic fact-finding effort is that of trying to sort out the factors which underlie each institution's special problems and delay implementing management's commitment. These factors may be many, and the Commissioner's recommendations strive to take them all into account: in the unlikely event of a contradiction between "bilingualism" and safety, for example, even the normally zealous Commissioner would prefer to land in a unilingual plane than crash in a bilingual one.

### *b) Maybe Tom-Toms Could Pass the Word*

In this era of telephone, telegrams, Telex and even mental telepathy, nine out of ten of the Commissioner's investigations show that information on language policy from headquarters chiefs seldom filters down through the hierarchy to the people who man the front counters, or even the backroom desks, of local and regional management. Too often head office takes for granted that a memo written is a directive applied—instantly and universally. Such paper paradises, where wordy generalities (not even information) replace action, lead not to progress but, through heightened doubts, to paranoia.

To cure this administrative ill, two remedies come to mind. First, each department or agency should spell out in plain language the precise, concrete duties and rights the Official Languages Act creates for its employees in terms of the institution's role. Either Treasury Board or, in areas outside its ambit, the Commissioner's Office, could assist in checking such materials before distribution. Second, the Commissioner believes still more this year that the linguistic information gap within each agency can best be filled by the agency's own "mobile mandarins"—accompanied, if they wish, by resource people from the

Treasury Board, Public Service Commission, the Commissioner's Office and—why not?—staff unions. Systematic, voluntary-attendance meetings between headquarters chiefs (briefed and flanked by the above resource people) and local employees could bring the Act's simple, supple justice home with authority and clarity—precisely the two qualities it now lacks for so many. The Armed Forces brass tried this; they learned much and so did several thousand soldiers. Civilian generals would do well to visit their front lines too.

c) *Our Computer Only Knows Swahili*

In some 2,500 complaints and 45 special studies, the Commissioner and his colleagues have found the number of institutions with a systematic, cohesive programme of implementation to be negligible. He wonders who has got all the Career Assignment Programme (CAP) graduates and other trained managers the government is rightly proud of. The cool-headed, computer-conscious manager of Ottawa legend should not work, one hopes, through "ad hococracy"—pressing the linguistic panic button only when the Commissioner sends a deputy minister a notice of intention to investigate. Crisis management is an estimable science, but managers ought to do more than cope with crises; normally, through wise long-term planning, they should try to prevent them. Whatever miracles departments are pulling off in their own vocational arenas, in matters of language all but a few still stumble erratically from drama to melodrama, like compulsive but aimless travellers. By dashing hither and yon in times of flap, departments go nowhere—surely not coherently closer to the goals of the Official Languages Act.

Systems and management specialists permeate the federal public service. The Treasury Board has drawn some to the business of language in its own house; but it ought to press departments to mobilize a few of their own organizational whiz kids to the linguistic cause as well: otherwise, the Board's new Official Languages Branch risks increasingly becoming an ivory tower, its minions flow-charting pan-governmental triumphs which exist only on paper. For great ministries of State commanding legions of highly trained systems analysts and managers, and treating each day archives of abstruse data through electronic brains, it should be possible to put a minimum of order, foresight and tautly-tuned planning (with self-monitoring) into a matter of such simple justice.

d) *The Chief Must Prove Omniscient*

Just because a federal institution is decentralized does not mean that headquarters should deliberately cultivate ignorance about goings-



on in the hinterland. That headquarters should delegate certain authority to the field implies to some that a central follow-up or monitoring mechanism on languages is sacrilege, an impious affront to principles of modern management. Yet untrammelled exercise of delegated duty can lead to curious fiefdoms, each regional baron levying troops and taxes for results which headquarters (much less Parliament) may never have intended. If agency chiefs do not follow up on what's happening in a major programme, in this case official languages, neither Treasury Board for the government nor the Commissioner for Parliament can accurately measure progress. Top management of any institution is ultimately responsible for every government policy affecting it. In matters linguistic, as in all their other concerns, mandarins should not hesitate to meddle in their own affairs. Their boredom, alas, is contagious.

*e) Can Tokenism Replace Totemism?*

Not all public servants, the Commissioner knows, share his near-ecstatic vision of our two official languages. In short, many consider the whole thing a drag. Not a few believe (and hope) the wretched business of language will evaporate into the twilight mists of administrative inertia. The way to this goal, they know, is the classic one of all great bureaucracies—inventive stalling, or doing absolutely as little as possible. But convincing lip-service, like all fine arts, takes time and energy—moreso here perhaps because slowing the advance of two tongues demands holding one's own.

But the effort required for sullen sabotage is at least equal to that needed for muddling helpfully through. Thus the Commissioner invites the reticent and recalcitrant to review their own individual energy crises. Accepting with good humour that Parliament will not likely repeal the Official Languages Act, they will find serenity, he thinks, in putting their best talents into banishing “bilingualism” by changing it from a dreary slogan to a happy reality. Less, despite Browning and Mies van der Rohe, is not always more.

*f) Unripe Mangoes Cause Upset Tummies*

The languor of many departments in taking action on the Act should not be laid grossly to the hostility of a few employees or to the indifference or ineptitude of management. One cause of tardiness engages the very practical matter of moving from concept to action. Departments and agencies administer acts of Parliament in fields where they hold specialized knowledge and experience. Then, in the Official

Languages Act of 1969, came a requirement totally outside their habitual range of expertise. Indeed the Act explained the new linguistic duties in often general terms, affording little or nothing in the way of clearly defined administrative steps, standards and bounds. Translating the principles and requirements laid down in the Act into specific measures, objectives, time-frames, methods and procedures—into definite duties, action and expected results at all levels of the organization—can appear, and perhaps be, forbidding. Such circumstances often lead people to play it safe, to carry on business as usual until some kind of consensus develops or until they get direction or guidance from higher up. Few administrators, not unnaturally, want to risk starting down a wrong road, setting in march structures that might later have to be dismantled or activities that might soon be rerouted.

This is one of the human realities managers and public must take into account. The Commissioner, in his recommendations to an institution following investigation of complaints or completion of special studies, tries to offer some guidance; and his recommendations, by and large, have been viewed as serving that purpose. Since about the beginning of 1973, both the government and the central organizations most concerned (the Treasury Board and Public Service Commission) have taken steps towards achieving increased and more uniform activity in the field of official languages by federal institutions as a whole. This leadership, four and a half years after the Act came into force, has still to make a dramatic impact. But if the central agencies continue to deepen and affirm their mandate, they should, by showing how to bridge the concept-implementation gap, help management to overcome many inhibitions.

g) *Signs, Symbols and Portents: the Entrails of Many Chickens*

Whatever may be said in extenuation of inertia in meeting the Act's requirements, there are certain aspects of bilingual service where delay and incompleteness remain, if not inexplicable, certainly appalling.

Admittedly, achieving institutional bilingualism in the realm of personnel through hiring, training and deployment can entail holdups, hang-ups and complications. Coping with day-to-day needs for translation (including speed and accuracy) until correspondence and other materials can be satisfactorily originated in the two languages calls for imagination, ingenuity and discipline.

But signs? One finds it hard to justify why nearly all signs, both external and internal, on federal premises designated by the Act, have not been rendered bilingual, and correctly bilingual, long since 1969. Yet the disturbing fact, with its connotations of unwillingness and/or inefficiency, remains that even today this relatively simple but significant

matter of tokenism is approached slowly and often sloppily. One can say as much of forms used by and with the public, of federal publications, of equal use of the media in the two languages for both information and promotion, and of public announcements. These are physical things which can be grasped and organized with relative ease, and accomplished once and for all in a fairly short time. That the Act can be perceived visually and aurally at this late date as unimplemented in its letter and spirit through such obvious and elementary manifestations casts doubt on the credibility of all those associated with carrying out Parliament's intent—and much worse, on that of the Act itself. Whatever lead time implementing the more complex and difficult human aspects of the Act may demand, it is unpardonable that rendering bilingual most signs, forms, general publications and other printed material should take more than four years.

It is feeble consolation to be told that signs are the responsibility of the Department of Public Works rather than of the department or agency, or that the Federal Identity Programme's official output is timelessly awaited, or again that it might hurt the institution's public relations to change over "suddenly" to a bilingual image. Advancing excuses of this calibre tends only to confirm the worst impressions the snail-like pace of reform in such visible and controllable matters already conveys.

#### *h) Mercenaries or Spear-Carriers?*

One area where departments and agencies have also notably tended to drag their feet is that of concessionaires. Unwillingness to face up to the Act's requirement that concessionaires, as well as departments and agencies, must serve the travelling public in both official languages seems widespread. Administrators try various devices to dodge the problem, such as an excessively narrow interpretation of the Act's requirements, or an exclusivist definition of "a contract for the provision of . . . services . . ." Still less bold managers vaguely promise to "take the matter up" with concessionaires and include a bilingual clause in their contracts when those already in force come up for renewal—an event which may occur years hence.

Some concessionaires (say, in airports) are other federal institutions, for which there should be no excuse for not offering bilingual service. Others are large private concerns with enough staff, internal manoeuvrability and resources to comply with the Act. Still others are small single-family undertakings that can ill absorb the extra costs that services in two languages would impose. Thus, it would seem, contracting federal institutions ought to adopt a seriously persuasive approach to all and a variety of imaginative measures to assist conversion to,



and continuance of, bilingual service where called for. It is those institutions, after all, which have primary responsibility for complying with the Act, not the concessionaires.

It was plainly not the intention of legislators to put small concessionaires out of business. Neither, however, one is sure, was it their intention under Section 10 (1) that the travelling public be deprived of service in the language of its choice merely because it happens to be dealing with a firm under contract with a federal institution rather than with the institution itself. Service in the two official languages engages the whole package of services within a federal building; and the travelling public will neither understand nor tolerate the pettifoggery of officials who seem terrified of large firms who profit from the privilege of government-guaranteed monopolies.

#### *i) Preserving (and Counting) the Extended Family*

Even with the best of intentions and without any conceptual or procedural barriers to overcome, a federal institution may suffer some lag in bringing itself into line with the Act. The attitude of top management and the support it is seen to give quickly permeate other levels of institutions.

Good intentions, as proverb tells us, are not enough. When a new goal or outlook must be worked into an institution, someone must be charged with the task. That someone should hold authority and resources to speak for or through top management, send impulses down through the normal chain of command and secure feedback on results. What steps are taken and particularly what results actually follow are matters that must be known in a regular, detailed, even statistical way for the institution to plan, monitor and control—and incidentally for the Commissioner to report progress to Parliament.

Unless administrative arrangements set up to ensure implementation of the Commissioner's recommendations achieve these purposes, they can only be viewed as what the White House used to term "in-operative". Some institutions are meeting these needs. Most are not. Sometimes the reason for falling short is a lack of staff assigned to the task. Such cases lead to delay and frustration, indeed to the pathetic situation where overworked individuals become the butt of criticism for the unsatisfactory performance of their institution. At other times the reason is a control and reporting procedure whose built-in, time-consuming complexity reduces follow-up deadlines to Greek Calends. In these cases, though recognizing that the procedure may be admirably suited to management's normal needs, the Commissioner must insist on his duty to report accurately to Parliament and remind managers of

what that implies in the concrete, detailed information they should offer Parliament through him. Marshalling this data on progress should in fact well serve managers in their grasp of their institution's total environment—perhaps even enabling them to misunderstand it in two languages instead of one.

j) *The New Sleeping Sickness—But, O Tse-Tse Fly, Where Is Thy Sting?*

The Commissioner suspects that the programme launched and deadlines set by the Treasury Board for identifying and designating bilingual positions may have had, in some federal institutions (at least until 31 December 1973), the effect of absorbing time and energy that could otherwise have been available for implementing institutional bilingualism. As a result, and since this designation process will go on for thousands of positions, carrying out recommendations the Commissioner has made to those institutions might risk losing its still sometimes fragile priority.

The Official Languages Act, subject to all reasonable accommodation to human and technical realities, demands observance now. It contains no proviso for its implementation to be set aside or slowed down to make way for administrative measures of any kind. The Commissioner's recommendations relate directly to meeting the Act's requirements and he hopes his promptings are sometimes valid. The demands of the bilingual positions programme should not serve as justification for suspending or retarding action to carry those recommendations into effect as soon as possible.

The government governs. But Parliament makes law. As an avowed linguistic opportunist, and realizing that he is only the servant and not the spokesman of Parliament, the Commissioner is unscrupulous enough to try to exploit fully this constitutional truism for the "good cause".

3. *Cruising Down the Congo: The Ship of State Has Sprung a Leak*

On the morning of 18 October 1972, Ottawa readers of the Montreal newspaper *Le Devoir* digested their bacon and eggs with varying serenity. Civil servants savoured breakfast with alarm or titillation; politicians, facing a general election 12 days off, rushed to reassess the place of "bilingualism" as a campaign issue; officials of the Treasury Board Secretariat and Public Service Commission switched from caffeine-rich coffee to Sanka; and the Commissioner, anticipating a day with only an average share of disasters and crises, thought briefly of

returning to bed: he had found himself the public recipient of six volumes of "borrowed" state documents and a complaint of unprecedented scope which would influence his priorities for reform for well over a year.

All these reactions grew from *Le Devoir's* main headline, "Bilingualism Programmes Are Ineffective and Inadequate". Behind this lurked several pages of mysteriously leaked Treasury Board Task Force studies considered confidential (the six studies arrived later that day by registered mail) and a lead editorial conveying an open letter to the Commissioner inviting him to investigate a situation which might lead to a "radical failure of the federal Government's whole bilingualism policy". Publication of extracts from the studies, and accompanying reviews, continued for six consecutive days.

This was not, one might say, a routine complaint. Apart from the minor difficulty of protecting the complainant's anonymity as required by the Act (all *Le Devoir's* editorials being signed), the Commissioner and his staff had to analyze some 5,000 pages of documents, much of which the government regarded as "stolen", and try to draw as quickly as possible frank and constructive conclusions.

From the outset, after a first study of the documents, the Commissioner and his colleagues decided to concentrate on the fundamental question raised by the complaint: "linguistic equality in Canada: reality or myth?" They sought to focus on a systematic, long-term review of the three central agencies where possibly needed reforms could advance linguistic equality with greatest impact throughout many of the 180-odd federal institutions: the Translation Bureau of the Department of the Secretary of State, the Public Service Commission and the Treasury Board Secretariat. This option meshed in with plans or studies the Commissioner had under way concerning the first two of the three central agencies, but accelerated his examination of the Treasury Board Secretariat.

By the time the complaint arrived, the Commissioner's staff had already completed a review of the Translation Bureau's role and activities. This review, including a number of suggestions concerning recruitment, training and terminology, appeared in the Commissioner's *Second Annual Report*, tabled in January 1973. This was not meant to be the Commissioner's last word on translation, but the initial step in opening a realistic dialogue for reform in this area. As for the Public Service Commission, the same report included a summary of some basic problems in language training, as well as some solutions, such as continuous training and wider access to it, which have since become official policy. Further, the Commissioner and his staff, as of August 1972, had assigned the Public Service Commission priority for early, more comprehensive, study. By mid-October they had prepared



an outline of points for study, completed their background research, compiled a list of documents needed, and discussed 51 complaints already received against the Commission. Formal launching of this special study was delayed until the following March, partly because of recruitment competitions for the Commissioner's Office but mainly as a result of the *Le Devoir* complaint and its accompanying documentation: the Commissioner aimed now to concentrate all necessary staff first on the Treasury Board Secretariat.

The Board Secretariat was the central management agency sponsoring the leaked studies and was just beginning to assume a vital role in implementing the Act within the public service. Even moreso because the Secretariat was especially open to suggestion at the formative stage of its new official languages group did it seem the best "target" for study. Thus the complaint could be most profitably used as an instrument for reform should the alleged inadequacies prove founded. Already the Commissioner had prepared for his *Second Annual Report* a brief outline of the main challenges facing French-language units, one of the major concerns the complaint raised. But more broadly than this, the Board Secretariat had recently gained the authority and money to implement the Act for both language of service and language of work; the Commissioner saw his role in pursuing the complaint as verifying whether it also had the ideas and the will to do so.

As a matter of record, on 13 October, five days before the complaint was lodged, the Commissioner had informally requested from the Board's Secretary the entire 16-volume series of the confidential studies in question. The Secretary immediately agreed to supply the documents whenever the Commissioner and his staff, then immersed in preparing their Second Annual Report to Parliament, were ready to deal with them. The Commissioner at that time considered that however important the studies might prove in the long run, the immediate need to report to Parliament on schedule must take precedence. With the limited staff and time available then, it would not have been possible to analyze seriously the 16 full studies and to publish, in the *Second Annual Report*, responsible judgements on their conclusions.

Because of the Board's exceptional role as central manager, the Commissioner publishes full results of his special study of the Board Secretariat in Chapter III of this report, even though some of the activity reported occurred some months after his self-imposed cut-off date for routine follow-up data, 30 September 1973. Further changes at the Board and Public Service Commission are noted earlier in this chapter under the heading *Sabu and Simba: Such Good Friends*.

The Commissioner can scarcely urge press leaks as an habitual method of achieving reform. However, in sum, he notes three benefits from this leak and the resulting complaint. First, dramatic publication

of the studies undeniably strengthened the hand of all those in Ottawa who wished the government to move with more boldness and imagination in translating the Official Languages Act into specific, concrete terms of linguistic equality. Not a few such people, it is only fair to say, worked already within the Board, the Public Service Commission and other agencies associated with the Act's implementation. Second, the complaint hastened by several months the Commissioner's own planned study of the Board, by invoking the duty laid on him in Section 25 as an ombudsman. Finally, the Commissioner's customary follow-up on his recommendations to the Board Secretariat (and eventually those made to the Public Service Commission) activates a stable long-term monitoring mechanism on behalf of Parliament. This sustained review of measures taken by central management agencies to implement the Act will give echo to the complaint's essential concern: the status of, and opportunities for, French-speaking Canadians in their federal government's service.

#### *B. The Ten Commandments Minus One*

*(Parliament's Resolution of 6 June 1973 and the Treasury Board Guidelines)*

On 6 June 1973, Parliament passed a resolution reaffirming the principles of the Official Languages Act, and on 29 June Treasury Board published guidelines on the language requirements of positions in the federal public service. Generally, the guidelines restated the nine principles laid down by the President of the Board in his statement of 14 December 1972, while taking into consideration the wishes Parliament had recently expressed.

In the report on the special study of the Treasury Board carried out by the Commissioner's Office, a report summarized in Chapter III, there is mention of some questions raised by the principles stated in December 1972. In view of the similarity between these principles and the June 1973 directives, the Commissioner refers readers to this report and will limit himself, in the following pages, to a brief survey of the guidelines published on 29 June, lingering over only a few points which might present some difficulties or which invite additional comment.

##### *1. A New Testament?*

The Official Languages Act represents Parliament's Official Languages policy in statutory form. The Parliamentary resolution of June 1973 spelled out that policy in less legalistic terms than required in



statutory expression. The Treasury Board guidelines tried to explain the government's Official Languages policy by providing a "nuts-and-bolts" diagram. In introducing the guidelines, the President of the Treasury Board said: "It has been my experience that public servants by and large have supported the objectives of the government's Official Languages policy. However, until the how, where and when details of this policy had been worked out, some were concerned as to how the implementation of the policy would affect them as individuals and what particular provisions would be made for unilingual public servants who occupy or wish to compete for bilingual positions . . ."

Parliament's resolution is short and straightforward. It recalls that the Official Languages Act confers "equality of status and equal rights and privileges" on the French and English languages "as to their use in all the institutions of the Parliament and Government of Canada" and that departments and agencies of government must ensure service, in accordance with the Act, in both official languages. The resolution then first recognizes and approves nine principles for achieving those objectives and second, approves measures designed to produce a greater use of French as a language of work in the federal administration. This second part of the resolution is discussed later in this chapter.

The nine principles enunciated in the first part aim principally at "language of service" objectives. Their starting point is the position rather than the person. Positions "seen under the present circumstances" as requiring the use of French and English are to be first identified, then designated, as bilingual. The identification process was completed on 31 December 1973 and the designation will take place during a five-year period after that date (Principles 1 and 2). Quite logically, if the position is a bilingual one, a knowledge of French and English is said to be an element of merit in the selection of candidates (Principle 3). Not quite so logically, but perhaps necessarily under present circumstances (as the Commissioner noted in his *First Annual Report*), competitions for these bilingual positions are, nevertheless, open to unilingual candidates who have formally indicated their willingness to become bilingual (Principle 4).

But what about a unilingual incumbent of a post designated as bilingual? He or she has an option. He or she can choose to become bilingual and take language training on government time and at government expense, or transfer to a unilingual position offering a salary maximum at least within the range of one annual increment of the position previously occupied. Indeed, such incumbents have a further option. If they decline the transfer, they can remain in the bilingual job without becoming bilingual—taxpayers then being obliged to subsidize other means, perhaps a second full-time public servant, to ensure that citizens' statutory language rights are respected (Principle 6).

Further, if a public servant had 10 years continuous service as of 6 April 1966 and has had continuous service since then, he or she can even apply for a bilingual job without having to indicate willingness to become bilingual (Principle 7). Unilinguals from outside the public service can also apply for bilingual jobs but they must be willing to become bilingual (Principle 8).

These last principles would seem, at first blush, to be a giant step on the spot. In fact, if ineptly applied, they could lead to infractions of the Act. Suppose, for example, a position is designated as bilingual because it requires a service to the public of the type described in Section 9 or Section 10 of the Act (service in both official languages to a department's local public or to the travelling public). If the unilingual incumbent used his option under the resolution to stay in the job, an infraction of the Act might seem likely to occur. The government clearly wanted to implement the Act. But it also wanted to protect certain individual employees' rights.

Obviously, something had to be added to the resolution to avoid involuntary infractions of the Act, and that's where the Treasury Board guidelines came in. The solution chosen for this problem is sometimes called double-banking. Where, under the circumstances described, a unilingual employee occupies a position identified as bilingual, the department concerned is required to make "alternative administrative arrangements" to meet the language requirements of the position. The Treasury Board provides the necessary funds and man-years to give effect to these arrangements. In this way, the guidelines answer one of the "how, where and when" questions referred to by the President of the Treasury Board when he introduced the guidelines.

Attempting to answer the many practical problems of implementing the resolution, the guidelines explain a number of things: the identification of bilingual positions both in principle and procedures, the identification of unilingual positions, competitions for both bilingual and unilingual positions, language training, administration, and the role of the Public Service Commission, as well as the rights of unilingual incumbents of bilingual positions, long-service employees and new entrants to the public service.

The Commissioner does not pretend to offer here an exhaustive analysis of the guidelines. To try this only weeks after a complex new administrative system to implement them (for some 250,000 people) has started to function seems premature, indeed foolhardy. Firmer judgments on their fairness and practicality must wait another year: the proof of any recipe is in the eating. But the Commissioner might hazard four comments about the resolution and the guidelines that strike him as meriting attention even before the pudding leaves the oven.

## 2. *Four Quibbling Caveats*

### a) *Don't Chip the Tablets!*

The first caveat warns that neither the resolution nor the Treasury Board guidelines intend to or did amend the Official Languages Act. Rather they recognize the importance of trying to define more precisely the application of the Act's principles in terms of action by the individual manager and by many individual public servants carrying out non-managerial duties—these are after all the people who must ultimately realize Parliament's intention by making the Act work.

The resolution and guidelines thus were meant to be consistent with the Act and to aid its implementation. Yet in some circles the resolution and guidelines are viewed as a kind of amendment to the Act. Indeed, even a minister of the Crown, in issuing an otherwise helpful message to his department, stated that "Implementation of the [Official Languages Act] . . . has created an obvious need for change at all levels of the public service. It has also meant modifying the Act itself." Presumably as evidence of the "modifications" of the Act, the minister cited the resolution by Parliament and the Treasury Board guidelines. Of course, as stated, the resolution and the guidelines intend to implement the Act's principles. But where, in any case, implementation appears to the Commissioner to result in an infraction of the provisions, spirit or intent of the Official Languages Act, it remains his duty under the Act to say so and to make recommendations when appropriate.

### b) *Multiplying the Bread*

A second caveat: under the guidelines, departments must take the first two basic steps, first identifying bilingual positions, then setting the effective date for their designation. The Commissioner hopes the Board will be exceptionally careful and thorough in reviewing the exercise of these departmental prerogatives. While urging that all measures be taken to provide service guaranteed to the public by the Official Languages Act, he continues to think unilingual public servants of both language groups are entitled to reasonable protection of their positions. Should positions be identified as bilingual where this is not necessary, "identification overkill" could start a whole new range of problems—including a weakening of French as the predominant language in Quebec. In general, excessive or careless identification, including identification aimed at reshuffling staff or for other reasons unrelated to language policy, could set that policy back years by portraying it as insensitive, opportunistic or exaggerated.



### c) *The Walls of Jericho*

The third caveat recalls that the guidelines spell out geographical criteria to be used by departments in identifying bilingual positions. One set of criteria apply to positions providing service to the public in the two official languages. Those criteria are identical to those in Sections 9 and 10 of the Official Languages Act: the National Capital Region, head or central office of agencies outside the NCR, eventual bilingual districts (and elsewhere through "feasibility", "significant demand"), as well as everywhere for the travelling public. Another set of criteria deal with the use of the two official languages for operations *inside* the public service and touch on positions of a supervisory nature and those providing internal services. The guidelines provide that within French-speaking areas of Canada, supervision and internal services will be available in French, and within English-speaking areas, in English; within areas where both official languages are in relatively common use, supervision and internal services will be available in English and French—these areas including, according to the guidelines, the National Capital Region, parts of Montreal and of the province of Quebec, parts of Eastern and Northern Ontario, and parts of Northern and Eastern New Brunswick.

While it is true that the Official Languages Act has some "geographic" provisions concerning language of service, the Commissioner did point out in his *Second Annual Report* that he has been able to administer the Act effectively and flexibly with the "non-geographic" powers in Sections 9 and 10: "significant demand", "feasibility" and, for the travelling public, the assumption of country-wide demand. In the light of the heavy geographic dimension the guidelines introduce, the Commissioner thinks it timely to warn departments and the Treasury Board of the pitfalls of bilingual boundaryism, in matters of language of service as in matters of internal language of communication. The Commissioner, to give full effect to Parliament's intent, has always interpreted the geographic provisions of the Official Languages Act in their broadest sense and he invites all those concerned to do the same in applying the Treasury Board guidelines. The "bilingual areas" traced by the Board may prove a handy initial rule of thumb; but they neither fulfil nor override the Act's broader territorial terms.

### d) *A Cosy Tower of Babel*

The third principle of the resolution states that "knowledge of English and French is one of the elements of merit in the selection of candidates for bilingual positions." To the average reader, the wording of this principle seems clear enough: a bilingual person competing

for a bilingual position meets one of the selection criteria. This principle also conforms with Public Service Commission policy, as the Treasury Board guidelines recognize: "As required by the Public Service Employment Act, the knowledge and use of English and French is one of the elements of merit in the selection of candidates for bilingual positions."

Everyone knows that "Appointments to . . . the Public Service shall be based on selection according to merit, as determined by the Commission" (Public Service Employment Act, Section 10). The Public Service Commission recognized language ability as an element of merit in the selection of candidates for bilingual positions even before the resolution was passed. The resolution confirmed this practice, indeed extended it, by stating that henceforth "competitions for bilingual positions will be open both to bilingual candidates and unilingual candidates who have formally indicated their willingness to become bilingual" (fourth principle).

According to this fourth principle, the Public Service Commission now admits to competitions for bilingual positions not only candidates who already know both official languages, but also unilingual candidates who formally consent to become bilingual. In other words, either the knowledge of both languages or the willingness to acquire this knowledge constitute equal elements of merit in the selection of candidates for bilingual positions. Bilingual candidates and consenting unilingual candidates are placed on an equal footing, and in theory neither has an advantage over the other.

The resolution, by recognizing as an element of merit the formally expressed willingness of a unilingual candidate to become bilingual, has therefore broadened the merit principle as regards language requirements. The Commissioner has no wish whatever to cast doubt on the soundness of this decision. He knows too well that this compromise was in part the result of painstaking negotiations between the government and its staff unions. But he ventures to believe that the government which, with Parliament's support, opened its generosity to willing unilingual candidates will recognize that its gesture was made in a short-term perspective and cannot take the place of a long-term policy.

The federal government has given the provinces \$300 million to improve the teaching of second languages (as well as for teaching in minority languages); it has invested other millions of dollars in its own language schools to make many of its civil servants bilingual. This is praiseworthy, and fits well the spirit of the Act. But to be logical with itself, the government must agree that these investments sought a specific goal. This goal was surely not to discourage anyone from learning a second language, and the resolution, in the way it sets out the merit principle, did not seek either to create this impression. However, this could well be the perception that many of our children and



future civil servants will draw from it. Our young people should not be left on the horns of a dilemma: to be, or not to be, bilingual.

This situation, perhaps ambiguous for some, can be avoided if the government lets it be clearly known that the new merit principle as regards language skills is only a transitional measure meant to lead to a realistic and profitable recognition of the advantages of individual bilingualism. Thus tax-paying parents and teachers, already worried by the weak motivation of many of our young people for picking up a second language, will be certain that the bilingual game, in the schools, is well worth the candle.

### *C. The Creeping Hours of Time: a Slightly Shakespearian Report on the Fate and Fortune of French-Speaking Federal Employees*

1. *"I summon up remembrance of things past,  
I sigh the lack of many a thing I sought . . ."*

In his *Second Annual Report*, the Commissioner noted euphemistically that working in French in the federal administration was "still the hard option". He has since pointed out on many occasions, at the risk of seeming a prophet of doom, that reforms in this area are progressing at a snail's pace, and has urged the government to introduce a number of measures to improve the status of the French language within federal institutions. He suggested, among other things, that the recruitment of Francophones be greatly intensified, that French-language units be increased and upgraded, that working tools in both languages be created and that a series of directives be circulated on the right of federal employees to work in the official language of their choice.

These appeals, no doubt tiresome if not tireless, for a stepping up of reforms regarding language of work are based on the Official Languages Act. The principle of the equality of French and English is stated in Section 2, which recognizes the rights associated with the language of work. It is the Commissioner's responsibility to monitor closely the application of this vital aspect of the Official Languages Act, so that this right to work in either of the two official languages does not end up merely as "such stuff as dreams are made on". The reason, plainly stated, is that the wishes expressed by Parliament and the government, however promising and specific, have so far remained virtually a dead letter. It remains to be seen what will be the fate of the resolution on the official languages adopted by Parliament in June 1973.

This resolution is particularly explicit:

"... public servants should, as a general proposition and subject to the requirements of the Official Languages Act respecting the provision of services to the public, be able to carry out their duties in the Public Service of Canada in the official language of their choice."

Parliament said in this same resolution that in order to meet this objective, the government should take various measures to "produce a greater use of the French language at all levels in the Public Service."

Thus in theory both the Act and the policy adopted by Parliament and the government are aimed at ensuring equality of the two languages within the federal administration. This means that the federal public service should essentially be both French- and English-speaking. Genuine bilingualism implies the co-existence of two strong and living languages, neither of which should hinder the development of the other.

This real and realistic bilingualism will have been achieved when French becomes the normal working language of the federal administration in Quebec and when it is a recognized working language widely used by this same administration in the National Capital Region.

For French to be a working language in the federal administration, its foundations must be solid and unshakable—that is, its predominance in one area must be such that there is no doubt about its strength and utility. This area is Quebec, and the Commissioner has said on several occasions that there is no point trying to make French a useful working language in the federal administration until it is first well established in the reality of Quebec. Francophones outside Quebec can of course play a part in the promotion of French, but not without a Quebec which is French "to the marrow".

Even though most of the effort must be focused on Quebec and the National Capital Region, we must not overlook other places, particularly those where federal institutions have their head offices and where federal employees of both language groups work, whether in regional offices, local offices or offices abroad.

The Commissioner will therefore examine briefly, in the paragraphs that follow, the place of the French language within the federal government. First, he will try to track down any unhealthy conditions that are impeding introduction of necessary reforms, then propose as fortifying a remedy as possible and, finally, examine the problem posed by the recruitment of French-speaking Canadians.

2. *"Nightly she sings on yon pomegranate tree:  
Believe me, love, it was the nightingale."*

The past year has raised certain hopes about the status of the French language within the federal administration, especially in view of

the affirmation and administrative recognition of the right of federal public servants to work in their own language.

The resolution adopted by Parliament in June 1973 clearly commits the government to taking measures to increase the use of French in the public service. Some specific measures are set out in the resolution: increasing the number of French-language units, intensifying the recruitment of Francophones, setting up new training programmes in French, and developing the bilingual character of the National Capital Region. Parliament is counting on these various means to help realize "the objective of achieving full participation in the Public Service by members of both the Anglophone and Francophone communities." An interesting outcome of the resolution is the new approach adopted by the government for trying to make the public service bilingual—organizing it on the basis of the language requirements for positions. This new policy will at least have the advantage of providing for the first time data on the size and quality of Francophones' participation in the federal administration, but its application will obviously have to be very closely supervised if positive results are to be obtained. Several obstacles are already evident.

The Treasury Board guidelines on the language requirements for positions are generally explicit with respect to the criteria and procedures for identifying and designating bilingual positions; the same does not apply, however, to the identification of unilingual—particularly unilingual French—positions. The three criteria retained for identifying these latter positions seem too restrictive: the positions that can be identified as unilingual French are those in French-language units (FLUs), those in which the incumbents deal with the public in French (or supervise only employees occupying positions in which French is essential, or provide internal services only to such employees) and finally, a very special case, those for which a knowledge of French is required under international agreements.

Since this procedure allows the departments to identify only a very small percentage of their positions as unilingual French, particularly in the National Capital Region, it was to be feared that the number of unilingual French positions in this region would be approximately equivalent to only the number of positions in French-language units already set up. To dispel any fears of a bureaucratic "revenge of the cradles", we should point out that the FLUs located in Ottawa comprise barely 3,000 public servants (1,200 of whom are employed by the Translation Bureau), or approximately 5 per cent of the total number of positions. This is a rather fragile base for Francophones wishing to work in their own language. If the situation does not change—and the data available at the beginning of 1974 allow little optimism—French



as a working language will be like an exotic textbook-case patient attended not by doctors of medicine but of language.

If this were the case, it would be fairly difficult to increase the use of French in the federal public service. The strengthening and enlarging of French-language units would be delayed and the possibility of working in French seriously jeopardized.

The Commissioner is well aware that use of French is not limited to unilingual French positions. Bilingual positions and those—hermaphrodites?—in which either of the two languages can be used also make possible the use of French. However, this does not necessarily mean that there is a numerically adequate representation of Francophones in the public service. The new policy adopted by Parliament guarantees unilingual persons the right to compete for bilingual positions. As everyone knows and as the figures given below prove, bilingual positions were traditionally the principal and often the only means of access to the public service for Francophones, who were—and still often are—bilingual out of necessity. There will now be an increasing number of unilinguals, the vast majority English-speaking, using this same means of access, since unilinguals can compete for bilingual positions.

It is conceivable that bilingual positions will become less and less the preserve of Francophones. Here again, a small number of positions identified as unilingual French would pose a crucial problem. Francophones already enjoy very limited means of access to the public service. Will their path eventually resemble a tightrope? The danger is real. If the government does not quickly give priority to increasing the number of unilingual French positions at all levels and does not group them into French-language units, the Commissioner may have nothing left to do but perform an autopsy on the working language aspect of linguistic reform.

Certain data established by a branch of the Public Service Commission might give food for thought to those who see the Commissioner as a comic opera soothsayer—an amusing role, certainly, but one that he would not claim at any price. The data indicate that openings for those wishing to work in French in the federal bureaucracy are still very limited.

Of the appointments made in the federal public service between January and the end of June 1973, 7.4 per cent were to positions requiring a knowledge of both languages and 11.5 per cent to positions requiring a knowledge of French. Theoretically, a knowledge of French was required for 18.9 per cent of the positions (19.7 per cent, if the 0.8 per cent unspecified is taken into account). The percentage of Francophones appointed was 21.8 per cent. We can therefore conclude that a large number of Francophones, whether because they wish to



do so or because they have no other choice, are occupying unilingual English positions (5 per cent of these positions).

The situation is even more pronounced in the National Capital Region. During this same period, 12.6 per cent of the positions filled required a knowledge of both English and French and a mere 3.4 per cent required only French. The proportion of unilingual English positions was 78.9 per cent. Theoretically, 16 per cent of the positions (plus 5 per cent unspecified, thus a total of 21 per cent) required a knowledge of French, yet the proportion of Francophones appointed was 24.4 per cent. Here again, the Francophones must use unilingual English positions to find room in the public service. In effect, 12.6 per cent of the unilingual English positions in the National Capital Region were occupied by Francophones during this period, whether by choice or by necessity.

As far as "hermaphrodite" positions are concerned, the Commissioner hopes that the government will not use them as a boudoir curtain, by applying this label to many positions already held by Anglophones, thus elegantly disguising the number of positions theoretically open to Francophones.

Until the proportion of positions in the National Capital Region requiring knowledge only of French increases appreciably, the Commissioner will continue to sound the alarm, even at the risk of straining his listeners' eardrums. He will also suggest that the government frankly warn Francophones that some of them will have to forget their language if they want to work for "their" government. Then at least the authorities could not be charged with Falstaffian falsity.

Various solutions have been proposed by agencies responsible for implementing bilingualism in an effort to compensate for this lack of marked out "home ground" in the public service for Francophones. In order to meet the growing demand for staff to replace employees on language training, some have suggested setting up, on an experimental basis, a pool of employees capable of providing the "bilingual" requirements of the various departments. According to its proponents, this idea could open up new possibilities for French-speaking public servants. Although the method could produce positive results, the Commissioner also sees some dangers in it. Generalized use of this expedient could restrict Francophones to serving eternally as acting staff. In any case, it cannot be construed as a cure-all for the problem of under-representation of Francophones. If the public service is unable fully and completely to integrate Francophones into its fabric, the Official Languages Act will have lost a vital part of its meaning.

The solutions chosen to enable Francophones to feel at ease in the public service cannot be of a marginal nature. They must be incorporated into the broad bureaucratic structure. From this point of view,

the Commissioner deplores the slowness and hesitancy which seem to be paralysing the development of French-language units. This inaction is all the more inexcusable in that the FLU experiment, which has already been underway for over two years, has generally proven to be worthwhile. Despite a few weak points noticed during this period, the results seem to justify the expansion and upgrading of the FLUs in the public service, particularly in the National Capital Region.

The major weak point noted was the difficulty the FLUs had in communicating in French with other sectors of the federal administration. The identification and designation of bilingual positions ought logically to create a much more favourable environment and facilitate communications in French between FLUs and interfacing units. In addition, it appears that, in spite of certain improvements announced in February 1974, the FLUs still lack an adequate supply of work tools in French—especially in the areas of procedural manuals, reference works, computer print-out lists and memos distributed department-wide.

There are, however, many positive aspects. Undeniably, the most important one is the dissipation of the apprehension that FLUs would become ghettos of sorts, with very little influence on their milieu. The Commissioner was pleased to note that at least one group of Franco-phone employees, working in a scientifically-oriented department, asked to have their section made a French-language unit. This type of effort has the Commissioner's full support and sympathy: he encourages French-speaking public servants to defend their rights and to work toward creating a much more favourable atmosphere for their professional and human development.

As a justification for this slowness in expanding the French language unit programme, one could advance the argument that all efforts were being devoted to identifying the language requirements of positions. The Commissioner has already mentioned that this phase is an essential prerequisite in planning the development of French as a working language, because it will provide Treasury Board with a complete language census of the public service. He is doubtful, however, that this phase will lead immediately to implementation of a specific plan to increase the number of French-language units with important decision-making powers and to an intensification in the recruitment of Francophones wishing to work in French. The departments and agencies seem, in fact, to have identified a high number of bilingual and "hermaphrodite" positions compared with the number of unilingual French positions. If this proved to be the case, carrying out the part of the Parliamentary resolution concerning promotion of the French language would be delayed, if not seriously put at risk, because it would not necessarily

foster an intensified recruitment of either unilingual or bilingual French-speaking Canadians.

### 3. *"I do begin to have bloody thoughts."*

Although the balance sheet for 1973 shows few concrete achievements, we must nevertheless look to the future and try to rough out a comprehensive plan of action to enable French to assert itself in federal institutions. The government has been talking about announcing such a plan for a few months now; the Commissioner, writing in mid-February 1974, would not be wounded in the least if the government were to make the following remarks superfluous by disclosing its plan before this report is tabled. Unless we want to risk undermining the Act's credibility, 1974 must be the year in which our efforts are concentrated on the question of French as a language of work. In the following paragraphs, the Commissioner intends to propose, without claiming it as the last word on the matter, an administrative "strategy" designed to use the Official Languages Act, four and a half years after its coming into force, as it already should have been used: as an instrument of full linguistic equality.

a) The first objective, which could be achieved in about two years, is to make French the normal working language of the federal administration in its Quebec regional operations—including Crown corporations. The Commissioner sees no contradiction between this objective and the statutory requirement to serve in English the Anglophone population of Quebec and English-speaking visitors to the province. It is simply a matter of establishing a certain proportion of bilingual positions so as to comply with the Act in this respect. This obligation toward English-speaking Canadians will surely not prevent internal work from being done in the language of the Tremblays, be it the Parisian brand of Jean-Noël or the cosy joul of Michel, at each employee's choice. In other words, by the end of about 1975, the very large majority of federal employees working in regional offices in Quebec should belong to French-language units, a result allowing all of Quebec (in so far as regional administrations are concerned) to be considered, so to speak, as one large French-language unit—the counterpart, one might say, of the huge "English-language unit" formed by the rest of Canada. This large French-language unit would include some English-language units to allow members of the linguistic minority to work in English as the spirit of the Act requires. These English-language units would work along the same lines and principles as the French-language units. Thus they would possess a bilingual capacity enabling them to offer, where ne-



cessary, services to the public in both official languages and to receive French-language communications from interfacing units.

Following the same logic, the rest of Canada would include French-language units in areas of the country where there is a substantial French-speaking minority—that is to say, at least in Ontario and New Brunswick. Indeed a few French-language units already exist in these two provinces, but they include barely 150 employees.

Such an organization would have the merit of ensuring solid foundations for both of Canada's official languages in areas where they are predominant, while guaranteeing the rights of the linguistic minority.

b) In addition, French should be the usual language for communications between regional offices located in Quebec and their respective head offices: in this way, the latter would be given a strong incentive to bolster the number of their staff capable of working in French, so that they could communicate with their Quebec offices. By starting at the grassroots, this movement to "Frenchify" head offices (for it is a question of helping French to grow) would be done under the pressure of real needs, so to speak. This approach is even more interesting in that it would create a certain number of positions requiring knowledge of French at the head-office level. Similarly, sectors of the federal administration (other than head offices) which have dealings with the French-language units should be able to receive communications from the latter in French, even if they reply in English. Such replies should be made without aggressiveness or condescension, in an atmosphere in which each side strives to outdo the other in heart-touching kindnesses between Anglophones and Francophones.

c) The programme to strengthen the French language should also include the National Capital Region. As part of the administrative restructuring brought about by the resolution and guidelines of June 1973, it is essential that the proportion of unilingual French positions increase markedly within about two years at the most. Since Treasury Board is responsible for implementing the bilingualism policy, it will no doubt have to come up with an energetic plan to promote the identification of unilingual French positions, even if the incumbents of these positions do not work in French at the moment. In other words, some provision must be made for a continuous process of transforming the language requirements of these positions.

For their part, departments and agencies should proceed with administrative reorganization aimed at making these positions viable. Most of these could be regrouped into French-language units to ensure them some stability. Moreover, these positions should be in a variety of employment categories at all levels as to provide Francophones



with a wide range of career possibilities in their own language in Ottawa.

If necessary, the government should consider the possibility of creating, in the National Capital Region and in the head offices of federal institutions, adequately staffed sectors reserved for public servants able to work in French. It would not be a question of setting up administrative units (divisions, branches or departments) doing the same work in English and French, but rather of creating complementary units, some working essentially in English and others essentially in French. There would therefore be fields of activity characterized by one language or the other, but this compartmentalization would at least make it possible to ensure firmer linguistic justice, because it would be rooted in a solid infrastructure. In addition, the waste involved in the creation of parallel "ghettos" would be avoided.

d) Furthermore, the government will have to prepare administrative directives designed to increase the use of French as a working language and to ensure Francophones a climate favourable to their professional development. These directives would cover all matters relating to the working language of federal employees. Steps will therefore have to be taken to settle not only questions arising from the static aspects of the language of work (manuals, instruction books, machines, general internal communications, libraries and personnel services), but also those connected with its more active aspects (language used at meetings, creative work, participation in decision- and policy-making and individual internal communications). Without this "housekeeping"—which must not be too slow or sloppy—public servants wishing to work in French will be like a group of famished guests seated before a mouth-watering platter of sealed oysters, but unable to eat them for lack of a suitable knife.

e) At the same time, the federal government will have to provide federal employees with professional training and development that is equal in quality and access for both languages. The Commissioner is naturally pleased with the progress promised for 1975 by the President of Treasury Board. But the latter will have to co-operate with the Public Service Commission in closely supervising the action taken in order to carry out this promise, to ensure that nothing goes awry. At the end of 1973 the Commission was able to offer about 30 per cent of its courses in French. However, the courses organized by the PSC represent only a small percentage of all courses offered in the Public Service. According to statistics gathered by the Treasury Board's Task Force on Bilingualism, nearly 80 per cent of the courses offered by departments and other agencies were given only in English in 1970-71.

The small proportion of courses given in French is accompanied by another problem: many French-speaking public servants seem to prefer taking the courses in English. This attitude clearly confirms the underdeveloped state of French in the work setting. Since they work in English and know that promotion often depends on their knowledge of English, many Francophones apparently decide to take training courses in that language. Departments and agencies must therefore concentrate their efforts on several fronts at once if they are to break this vicious circle; the most important step will be upgrading French as a working language to give it equal status and prestige with English.

In short, the public service must be organized so as to guarantee full development of French as a working language. The Commissioner intends to play an active part in this process. Thus his officers are focusing their attention on this fundamental aspect of the Act in their current special studies. In order to assist federal institutions in this undertaking, the Commissioner will draw up, for each agency studied, recommendations designed to correct any shortcomings he might find in the area of language of work.

#### 4. *"Wisely and slow; they stumble that run fast."*

The measures recommended above, while not exhaustive, are a likely prerequisite to implementing the part of the resolution approved by Parliament in June 1973 regarding promotion of the French language in the public service. The proposed reforms are intended to create a setting conducive to the development of French, and they may entail a radical change in the very make-up of our administration. Once we have passed this stage of creating "home grounds" or structures in which the needs and aspirations of French-speaking Canadians can be fulfilled, it will be easier to increase the proportion of Francophones, both unilingual and bilingual, joining the federal government in Ottawa and elsewhere.

This brings us to the heart of the matter: the crucial issue remains the recruitment of French-speaking Canadians. The Commissioner considers notably intensified recruiting of Francophones to be the key to creating a public service representative of the two main language groups. Without native speakers, French is in danger of becoming (as it already has for some) a federal pidgin spoken only during coffee breaks by English-speaking civil servants who have obtained their bilingualism diploma and are on the way to becoming satyrs in a harem without women. This is an absurd and costly situation, despite the folkloric and platonic pleasures it may bring. Equal status for both official languages will not be attained without balanced participation by

both language groups. French will be a useful language of internal communication only when the proportion of Francophones at all levels rises considerably, especially in the National Capital Region. It is mainly on such terms that French will cease to be cloistered in the debilitating detours of translation or the frustrating role of a second language taught after a fashion, and will finally become a normal and effective working language.

"Progress" in the area of recruiting Francophones scarcely makes one giddy with excitement. In fact, the Commissioner sometimes gets the impression of watching a parade "progressing"—through inverting the strategy of Mao Tse-Tung—by taking one step forward, then two backward.

The studies by the Task Force on Bilingualism have shown that the proportion of Francophones appointed through recruiting programmes aimed at post-secondary graduates rose little between 1968 and 1972—from 21.4 per cent in 1968 to 26.8 per cent in 1972. However, according to these same studies, the percentage of applications for employment by candidates attending French-language academic institutions increased in a higher proportion during roughly the same period: from 10.6 per cent in 1967 to 19.3 per cent in 1971. Available information indicates that there is a multi-talented pool of French-speaking manpower qualified for the public service; now we must organize recruiting so as to take the greatest possible advantage of this resource. The PSC is trying honestly, if a little gingerly, to open fairer chances to Francophones; it deserves much broader and franker support from parliamentarians and public.

Participation of French-speaking Canadians seems weakest at the middle and upper levels of the public service, whereas it has increased in the operational categories. Statistics from the PSC's last two annual reports supporting this judgement. From 1971 to 1972 the proportion of positions requiring knowledge of French only climbed from 7.3 to 14.8 per cent in the Administrative Support category and from 11.0 to 11.8 per cent in the Operational category. On the other hand, there was a drop in the number of such positions in the Scientific and Professional and the Administrative and Foreign Service categories—from 14.0 to 12.0 and from 13.6 to 9.4 per cent respectively. If this trend continues over the next few years, it will be very difficult to achieve equitable and realistic representation of both Francophones and Anglophones at all levels of the federal administration.

The government, in short, can still expend considerable effort to make French-speaking federal employees feel fully integrated into a work setting offering as much potential for their language as for English. Furthermore, it will have to rework its present "home ground" structures so that the French-speaking person seeking an interesting career



in the federal service can be certain that he will not have to leave his language in the office cloakroom. The government agencies responsible for such reforms have demonstrated a great deal of good will. The Commissioner hopes this will now be borne out by concrete and coherent action. To achieve this, these agencies will have to prove creative and generous enough to dispel the resentment of some and the fears of others. Of such modest miracle-men, the Bard spoke thus: "O! what men dare do! what men may do! what men daily do, not knowing what they do!"

*D. Information: At Last, a Little More Light than Heat?*

In previous reports, the Commissioner deplored the poverty of federal efforts to tell private citizens and public employees just what the Official Languages Act meant, and did not mean. Too long confusing prudence with paralysis, the authorities faced a public still perplexed, over three years after the Act became law, by mythologies equating "bilingualism" with cultural genocide, anti-English plots and other crimes against humanity. For the chicken-hearted, the chickens had come home to roost.

The Commissioner doubts whether his harangues about explaining rather than complaining have done much to move tongue-tied officials. Indeed, though aware of his own sins of omission, he would still not be tempted to accuse the government of excessive boldness or imagination in informing citizens and its own employees of the new rights the Act assures them. True, in the past year, public opinion has begun to accept somewhat better the Act's elemental reasonableness; but this seems due more to new factors in our cultural environment than to specific and systematic information work by the central agencies promoting official languages.

In travels about the country, and in general correspondence, the Commissioner has noted several factors which are tending to bring citizens to a more serene view of the Act. Concrete, visible reform—always the best "information"—has begun to teach many English-speaking Canadians that the equality of our two official languages must be a real, as well as legal, part of the federal administrative scene. Seeing and hearing French more and more in agencies of government, it seems, accustoms the reticent to viewing institutional bilingualism as a natural (or at least inevitable) dimension of federal activities. Unfortunately, one cannot claim that this persuasion through change has similarly impressed French-speaking Canadians. Their skepticism, one notes, continues to deepen, and they need to see and hear, and be able to use, much more French in federal institutions if Ottawa is to inspire them with the poetic faith of Coleridge's "willing suspension of disbelief".



Other factors placing the Act in a more agreeable context for English-speaking Canadians include the continuing renaissance of French-language culture inside and outside Quebec; broadening grass-roots interest in teaching French as a living language to English-Canadian children; the basically unchallenged extension of French-language radio and television to many parts of English Canada; a notable increase in English-French bilingualism among individuals across Canada (a rise of some 23 per cent between 1961 and 1971, even though the total reaches only 13.4 per cent of all Canada's population); and, for Canadians of other ethnic backgrounds, the government's multiculturalism grants programme which, whatever its intrinsic merits, appears to have helped reassure cultural groups distinct from the French- and English-language core communities that the Official Languages Act is not incompatible with respect for the dignity of their cultures.

Against this more hospitable background, one must continue to view progress in federal information programmes on official languages as rather timid. With regret, the Commissioner reports that the hopes he expressed for a co-operative information centre bringing together all political parties, major staff associations, central management agencies and his own office remain unmet. This idea has failed not from ill-will by anyone but, one senses, from the difficulty of producing and sharing complementary materials within a structure all could accept. Some agencies too, it must be said, persisted until recently in regarding their plans or dreams for films, kits and pamphlets as military secrets.

Needless to say, in proposing such a centre, it was never the Commissioner's intention to end up in bed with the government on information or anything else. But some informal co-operation among administrators of the same Act seems sensible both in terms of ideas and money: 36 parallel films on language training or Section 9 (2)'s "significant demand" would be hard to defend before the Miscellaneous Estimates Committee. Thus the Commissioner trusts that Parliament will find his constitutional virginity secure in any attempts to avoid costly overlapping of efforts. Through mutual consultation with government officials promoting Parliament's law, the Commissioner and his colleagues of the executive branch will merely be acting pragmatically in private as consenting adults.

Though the central agencies of the executive itself still do not work on information as a tightly unified team, they no longer resemble a hockey team on which everyone wants to play goalie. The "Beefeater" syndrome, which compelled each friendly protagonist to guard his informational triumphs as jealously as the Crown Jewels, is becoming, at last, a poignant memory of bureaucratic sibling rivalry.

Within the new loose framework, central agencies are finally gearing up with staff and programmes to meet their specialized publics.

Efforts by the Secretary of State's Department, now adapted to exclude responsibility for federal employees, remain discreet—perhaps a hang-over from earlier days when even rather inoffensive films and television spots were shot down for fear of antagonizing the very English-language public which needed their lucid good humour.

The Secretary of State himself, however, in the course of visits during the last eight months to all provinces, has held many press conferences and has made a number of very helpful speeches about the two official languages. The Department's officials likewise make public appearances, participate in seminars and conferences and maintain liaison with organizations and institutions. They also reply to inquiries from the public and consult regularly with the news media.

In addition, the Secretary of State's Department makes available pamphlets, reports and press releases about its many-faceted programme of aid to language education in the provinces, its grants to voluntary associations and its technical aid and co-operation to business groups wishing to operate in both official languages. The Department draws too on a well-stocked documentation service and its network of regional representatives to produce a brightly written monthly magazine called *Bilingualism Review/Les Cahiers du bilinguisme*. This publication, with a circulation of 2,000, deserves further development and distribution as a useful link between students, teachers and official-language groups around the country.

The National Film Board, which reports to Parliament through the Secretary of State, has also entered the lists of the formerly listless. In May 1973, the NFB announced a new series of films, 20 in English and 15 in French, "to help Canadians learn English or French as a second language." This "Language Learning Support Drama" series may not directly deepen the public's knowledge of the Official Languages Act; but, by dramatizing "authentic Quebec culture and language" for English-speaking students of all ages, and the "authentic" English-Canadian equivalents (should they be found) for French-speakers, these films could greatly enliven the otherwise dreary scene of second-language instruction in Canada—by adding a previously heretical, and contemporary, Canadian content. The NFB also promises "filmstrips, slides, tapes and booklets to aid teachers" in using the films.

One hopes that both networks of the Canadian Broadcasting Corporation will likewise break boredom and precedent by more imaginatively interpreting Canada's two solitudes to each other. The CBC has made some excellent, but too isolated, efforts in this direction, such as the NFB-produced television series "Adieu Alouette". Yet with a little wit, and more than the vicarious courage it displays in importing T.V. shows mocking the prejudices of Americans, the CBC

should more consistently reach the "masses" on this theme, and convince itself that popular education and entertainment are not incompatible.

In January 1974 the Public Service Commission launched a new communications programme for public servants following or entering language training, as well as for those engaged in professional development courses. For its priority public, language trainees, the Public Service Commission recognized that "federal public servants need to be adequately informed and properly motivated in order to view the language training program in its true light as an attractive, beneficial activity of government designed to meet the requirements of bilingual services to the community at large, and to broaden the capacity and performance of the public servant himself."

To accomplish these prodigies, the Public Service Commission proposes to produce a general information brochure about "Life at School" for new language trainees; for employees and public, a more concise general information leaflet on language training; a monthly bilingual newspaper, including no doubt cheerful case histories of certifiably contented students; and audio-visual presentations on language training, especially a series of 18 five-minute colour video tapes illustrating all aspects of language-training policy, aims, experiences and methods. Finally, two "program spokesmen" are to be named to convey language training information to employees, to keep liaison with other interested agencies, and to act as sounding boards for employees' opinions on language training.

Assuming all these plans get off the ground, one can hope that the Public Service Commission will at last have a fighting chance of bringing home to English-speaking federal employees the fact that they are receiving, in language training, an unprecedented and potentially fulfilling fringe benefit never enjoyed by their French-speaking predecessors of a decade ago. The programme should also elicit systematic "consumer-reaction" data which ought to have been marshalled years before. Aware that public opinion is questioning more and more, and rightly so, the cost of language training, double-banking of staff, and still-high drop-out rates, the Public Service Commission will no doubt wish to use these data immediately and constantly in its reforms of curricula and methods.

As logic and duty dictate, the main burden of government information on official languages has been assumed for some months now by the Treasury Board. In May 1973, the Board's newly upgraded and reorganized Official Languages Branch set up a nine-person Information Group to devise and run a "global" information effort giving top priority to the public service. The Group will also try to tighten co-ordination with the Public Service Commission and the Department of the Secretary of State so that the government can finally present its employees with



an integrated view of its languages policies. These include such basic but previously unrelated aspects as the language requirements for positions, French-language units and the still-vague conditions for federal employees' exercising the right to work in the official language of their choice.

The first fruits of the Board's endeavours command respect for their thoroughness and energy in trying to spell out the Government's intentions on language requirements. Already the FLUs had profited from a valuable monthly bulletin and the obvious concern of one or two Board employees. But during the middle six months of 1973, the Board took on the massive task of rendering into regulations Parliament's basic linguistic principles (from the June 1973 Resolution reaffirming the core ideas of the Official Languages Act).

For untutored administrators such as the Commissioner, it would not be unfair to say that the Board's manuals, with their hundreds of pages of repetitive articles, flow charts, organization charts and computer-destined gobbledegook do not shine a light of incandescent clarity on the government's plans. Indeed, in the name of promoting bilingualism, the Board's experts, slide-ruling us all into handy language-requirement slots, may have slipped into the realm of trilingualism—by inventing Treasury Board Volapük, a strange and learned tongue resembling English (or French at times) but whose authority, to the initiate, seems to rest on its obscurity. True, one has to get down to nuts and bolts; but surely not at the cost of screwing up comprehension. If the Board wishes to explain as well as impress, it would not waste "man-years", light years or even face if it found simpler wording for some of the manuals it has jointly authored with the Public Service Commission. The Official Languages Administrative System (OLAS) has already spawned a small compendium of acronyms (after OLAS itself, and FLUs we now have—with two-language variants—OLIFs, OLISs and LKEs—all this on top of that always popular SIN). One hopes the OLAS information thrust will not end up by requiring a lexicon of code-words still more scary than the cosy old bug-a-bear of "bilingualism" itself.

Friendly hyperbole apart, and bearing in mind that OLAS was designed for people who talk mainly to computers, the Board has an extremely detailed plan for information which, if followed through, should make a major contribution to helping clarify language issues and solutions for the layman. Its regional and department-by-department briefing sessions, its regular consultation with staff associations, its nine background kits on important aspects of the Act and its implementation, its question-and-answer paper, and above all, its declared determination to explore all avenues and media for reaching its public give cause for hope that official languages understandings with employees will in



future be open conventions, openly arrived at. In all the items—movies, slide shows, kits and so on—that it comes up with, however, one hopes the Board will recall that a serious message need not exclude simplicity and good humour.

No less vital than clear, accessible documentation is a campaign to make sure that the Board's and the Public Service Commission's policies are sensitively explained in person to each employee. The CN, for one large agency outside the Treasury Board guidelines, has at least a frank, region-by-region video tape briefing for managers which other institutions could learn from. Already the Commissioner hears echoes of middle- and even high-level administrators in a few departments perpetuating, if not deepening, old anguishes by heavy-footed or needlessly ominous presentations of language-requirement designations. The Board can choke the channels of command with reams of splendid regulations; but if these are conveyed to individual employees as ukases or in a tone of looming disaster, the result will be panic and resentment. The task of managing a quarter of a million public servants is gigantic; yet so are the Board's and Public Service Commission's and departments' resources. The public service does not need a snow-job: just clear and repeated directives to managers at every level to remember they are dealing in individuals' happiness and to use, accordingly, at least the normal amount of tact required by healthy personnel relations. Gambling so heavily on the success of their new guidelines, the Board and Public Service Commission cannot afford the risk of clumsiness adding up to inadvertent sabotage.

It might be unchaste and immodest, but perhaps fair, to say that while the government, on information, is finally pulling its finger out, the Commissioner is still putting his oar in. In the past year, he and his colleagues have been pressing on, despite classic bureaucratic delays, with a three-pronged information programme. The first aspect concerns the general public, and follows work begun soon after the Commissioner's appointment through widely distributed pamphlets and posters, as well as speeches, television and radio interviews, hot-line shows, service club meetings, seminars and other public appearances. This activity provides a useful format for getting across the Act's basic message and for reminding citizens how to assert their federal language rights. It is a stimulating pursuit, no doubt lively sometimes for the same reasons of morbid curiosity and death-defying titillation that interest bullfight fans. For M.P.s, journalists and other more sober aficionados of matters linguistic the Commissioner's Office operates a small but utilitarian documentation centre-cum-library which tries to dig out facts and figures on short-deadline demand. Finally, a 35-mm. version of the Office's informal bilingual movie on the Act (*Bons*

*Amis*) is quietly bicycling itself around a few of the country's cinemas as an apparently inoffensive short: in November 1973 it was sandwiched between Donald Duck and Dracula in 106 movie houses in three provinces. By January 1974, distributors estimated that *Bons Amis* had been inflicted on some half million citizens.

A second aspect embraces a school programme, as promised last year. Working over the fall of 1973 with curriculum advisers from the Ottawa Public and Separate School Boards, the Commissioner's Office expects to be testing in early 1974 study guides for various age levels in conjunction with the Office's existing 12-minute movie, which has already proven of interest to intermediate and high school, as well as adult, audiences. When dry-runs with these guides have satisfied both professional pedagogues and the Commissioner's staff, materials will be distributed later in 1974 throughout Canada in social studies and second official-language classes as tools for supporting the relevance of language and Canadian studies programmes.

The third, and since last year top-priority, programme tries to reach federal employees. All observers of the official languages universe have noted in years past that "bilingualism" was not, for most federal public servants, a source of nirvana-like serenity. Only in the past eight months has the government, through the Treasury Board and Public Service Commission, started to inform its employees in a systematic manner. Even their commendable new efforts cannot help the total range of federal employees (such as some additional 250,000 persons in Crown corporations and other independent agencies) to whom the Commissioner's jurisdiction extends. Both to buttress the government's good intentions and to fill the need for a general explanation of the Official Languages Act in layman-manager's terms, the Commissioner's Office completed in October 1973 a "Safari Kit" for line managers containing three elements: the Office's basic pamphlet on the Act and the Commissioner's role; a question-and-answer brochure reprinted from a text by the Commissioner in the September 1973 *Civil Service Review*; and *The Jungle Book on Official Languages*, a cartoon-illustrated booklet telling who does what on Ottawa's bilingualism scene and what the Act means for administrators in down-to-earth, practical terms. The latter text came almost verbatim from last year's Annual Report, as was intended. This, like the other texts, was worked out in consultation with unions and management, and was distributed in an initial run of 40,000 through both. Subsequent demand led to a reprint order in 1974 for 100,000 more Safari Kits.

Armed with the Safari Kit, the Office's ice-breaking little movie and a stoically thickening skin, the Commissioner and five or six of his colleagues are at present re-enacting Eisenhower's promise "I will go to Korea" for some 500,000 unsuspecting federal employees across the

country. It is with no evangelic pretension that the Commissioner and his colleagues consider that wherever two or three civil servants are gathered together in the name of "bilingualism", they—or somebody sounding clued-in—should be there. They wish merely to press for clarity, wherever necessary—in short, to fill vacuums. Not, therefore, to usurp the divinely-established order of the Treasury Board or other statutory authorities, but to complement the good, if a little tardy, work these agencies have started and to add to it the non-partisan flavour of an agency directly responsible to Parliament.

### *E. Education: Oases in the Wasteland*

In an earlier speech and his *Second Annual Report*, the Commissioner referred to the teaching of second languages in Canada as a "national disaster", then a "country-wide castastrophe". Aware that verbal flatulence sometimes reflects intellectual constipation, he will refrain this year from escalating his Cassandra-like lamentations into a "cosmic apocalypse".

In fact, things don't seem quite all that bad—though bad enough they remain. Indeed, the meagre merit of the Commissioner's goadings may have been to bring to light, and occasionally fruition, actions which prove wrong the theme that linguistic doom is at hand. Thus, Edith Piaf-like, he regrets nothing, while hoping much. A sketch of trends, as well as of a certain progress, in second-language teaching may lead to other thoughts for bringing closer our two solitudes.

#### *1. Some Reasons Not to Weep*

Among striking trends the Commissioner notes in his travels and correspondence is the stronger wish of parents, especially English-speaking, to have their children learn Canada's other official language. Among French-speaking Canadian parents, this freely-felt desire to give their children a second language seems less common: for French-speaking minorities outside Quebec, English is an economic, social and thus academic obligation; within Quebec too this is often so, but with the added resentment that English is imposed on a society striving hard to retain the French character of its cultural majority. Still, the deepening conviction of English-speaking parents across Canada in favour of extending and bettering the teaching of French to their offspring is an encouraging fact. Not only do such parents wish their young to start French earlier (more and more in



the early elementary school grades or even kindergarten); they wish their children to learn to speak a living Canadian language, if necessary through total immersion in all subjects, instead of going through the motions of "passing" a dead, "foreign" subject.

This desire shows itself in two ways: an insistence, now widely shared by teachers, on oral fluency rather than on abstruse and rote-learned syntax; and a demand for teaching materials illustrating French as a language of Canada. Both these moves represent first vital steps in laying to rest the hoary desideratum of "Parisian French" which, for generations of English Canadians, has crippled students' motivation while disguising the inability of most "professional" teachers of French to speak any kind of French at all. The myth of "Quebec patois", that face-saving pretext for so many tongue-tied traditional teachers, seems now at last to be giving way to a more candid recognition that the rich particularism of Canadian French is no more incompatible with a high standard of international French than is the twangy argot of "Trawna" with mid-Atlantic English. Demosthenes could orate with his mouth full of pebbles; there now seems hope that many more English-speaking students will have a chance to converse in French with their heads empty of 19th-century prejudice.

A second trend to note, as a corollary of this, is the growing percentage of teachers of French trained not only as specialists but as more fluent pedagogues. Whereas ten years ago, most English-Canadian university French departments regarded a student's enthusiasm for the spoken language as *prima facie* evidence of intellectual shallowness, they no longer consider language laboratories as electronic limbos for the lame-brained. After for so long accusing the nation's French departments of linguistic dinosaurism, the Commissioner is happy to pay tribute to this developing awareness that literature and language share more than a few pages in a syllabus. So too the departments of English in French-Canadian universities appear to be stressing higher oral fluency. By all accounts and observation, they also until recently were inflicting on teacher trainees, notably in Quebec, a wooden and inarticulate English which did little for already complex-ridden motivation. Now they are at least goaded by their own Minister of Education, whose personal variant (through a departmental study) of the Commissioner's "country-wide catastrophe" is that the teaching of English to French-speakers in Quebec has been "deplorable"—thus deserving special care in his new long-term \$100-million programme for language reform.

A third trend promising for the long term is the rapid growth in enrolment in French as a second language in elementary schools. Over the next five years or so a reverse trend of falling enrolment in French in English-language secondary schools will probably leave many parents with a discouraged view of their teenagers' chances to participate in a






more bilingual Canada. This fall-off seems to derive from three factors: the grant-starved universities' scramble for students which, by "facilitating access" (not to be confused with lowering standards), has too often lopped off French as an entry prerequisite; the resulting dropping of French by secondary schools as an obligatory subject; and the perennial low motivation of high school students, too many of whose texts, curricula and teachers still fail to relate the French language engagingly to current Canadian realities. In spite of this saddening drop from the top, the elementary schools of English-speaking Canada are registering heartening increases in enrolment in French, particularly in French immersion, a development which augurs well for the bilingual preparedness of the graduate generation of the early 1980s. The following tables tell some of today's story.

Table A. The Teaching of French as a Second Language from Kindergarten to Grade 12, 1973-74

	KINDER- GARTEN	1	2	3	4	5	6	7	8	9	10	11	12
NEWFOUND- LAND													
PRINCE EDWARD ISLAND													
NOVA SCOTIA													
NEW BRUNSWICK													
QUEBEC*													
ONTARIO													
MANITOBA													
SASKATCHEWAN													
ALBERTA													
BRITISH COLUMBIA													

Source: Office of the Commissioner of Official Languages.

Legend:

-  The teaching of French as a second language is not part of the curriculum recognized by the Department of Education.\*\*
-  The teaching of French as a second language may be part of the curriculum recognized by the Department of Education at the discretion of each Board of Education.\*\*\*
-  The teaching of French as a second language is compulsory within the curriculum recognized by the Department of Education.

\*This refers to French instruction given to pupils of the English-speaking school boards.

\*\*However, certain school boards teach French as a second language.

\*\*\*In certain provinces, some school boards have made second language instruction compulsory at one level or another.

Table B. The Teaching of English as a Second Language from Kindergarten to Grade 12, 1973-74

	KINDER- GARTEN	1	2	3	4	5	6	7	8	9	10	11	12
NEWFOUND- LAND													
PRINCE EDWARD ISLAND													
NOVA SCOTIA*													
NEW BRUNSWICK													
QUEBEC													
ONTARIO													
MANITOBA													
SASKAT- CHEWAN**													
ALBERTA**													
BRITISH COLUMBIA**													

Source: Office of the Commissioner of Official Languages.

Legend:



The teaching of English as a second language is not part of the curriculum recognized by the Department of Education.



The teaching of English as a second language may be part of the curriculum recognized by the Department of Education.



The teaching of English as a second language is compulsory within the curriculum recognized by the Department of Education.

\*According to provincial legislation, English is the language of instruction in all institutions. However, because of great demand, certain schools are allowed to teach in the language of the minority.

\*\*Even if French is used as the language of instruction, its use is limited to about 50% of the time.

Table C. Minority Language\* Enrolment as Second Language, 1972-73, 1973-74

	Grade	School Enrolment	Minority Language as Second Language		% of Instruction Time Devoted to Second Language
			Enrolment	%	
Newfoundland					
1972-73	K-6	101,210	31,951	31.6	6.3
	7-12	61,333	35,641	58.2	10.8
1973-74	K-6	97,800	32,520	33.3	5.8
	7-12	63,620	34,583	54.4	10.7
Prince Edward Island					
1972-73	1- 6	15,599	4,918	32.5	6.4
	7-12	13,333	8,678	66.6	10.8
1973-74	1- 6	15,750	6,226	40.7	5.6
	7-12	13,320	8,156	62.8	10.8
Nova Scotia					
1972-73	K-6	121,032	16,736	14.4	5.8
	7-12	91,624	57,853	65.0	12.0
1973-74	K-6	115,703	23,853	21.3	5.6
	7-12	90,086	59,420	67.4	12.1
New Brunswick					
1972-73	1- 6	91,273	33,332	56.0	5.9
	7-12	82,788	39,097	70.9	14.7
1973-74	1- 6	88,005	31,997	55.9	6.2
	7-12	83,785	37,852	67.5	12.9
Ontario					
1972-73	K-8	1,445,101	596,729	43.9	6.6
	9-13	583,013	218,187	39.4	13.0
1973-74	K-8	1,422,750	597,050	44.5	7.6
	9-13	596,490	208,373	36.4	13.0
Manitoba					
1972-73	K-6	135,710	44,401	34.1	5.9
	7-12	110,500	48,432	45.3	11.9
1973-74	K-6	128,450	47,845	39.0	5.1
	7-12	111,930	45,121	41.8	11.2
Saskatchewan					
1972-73	K-6	124,019	6,235	5.1	8.3
	7-12	111,401	61,913	55.7	11.3
1973-74	K-6	117,438	6,674	5.7	7.8
	7-12	109,074	56,696	52.1	10.8
Alberta					
1972-73	1- 6	224,143	61,904	28.1	5.4
	7-12	206,308	68,668	34.5	10.3
1973-74	1- 6	225,129	62,010	27.9	5.5
	7-12	209,453	63,554	31.2	10.2
British Columbia					
1972-73	K-7	324,631	20,315	6.3	5.0
	8-12	201,430	115,212	57.2	11.3
1973-74	K-7	350,710	31,226	8.9	5.1
	8-12	218,550	105,664	48.3	11.0



Table C. Minority Language\* Enrolment as Second Language, 1972-73, 1973-74

	Grade	School Enrolment	Minority Language as Second Language		% of Instruction Time Devoted to Second Language
			Enrolment	%	
Total (9 Provinces)					
1972-73	Elem.	2,582,718	816,521	33.3	6.4
	Sec.	1,461,730	653,681	47.0	12.0
1973-74	Elem.	2,561,735	839,401	34.4	7.0
	Sec.	1,496,308	619,419	43.2	11.7
Quebec					
1972-73	K-7	888,970	249,600	33.4	11.1
	8-12	716,700	606,300	100.0	14.2
1973-74	K-7	830,900	233,850	33.4	11.0
	8-12	698,250	599,075	100.0	14.2

SOURCE: Statistics Canada. Figures for 1973-74 are preliminary estimates drawn from information provided by provincial departments of Education.

\*Minority language is English in Quebec and French in all other provinces.

## 2. *Yes, the Feds Can Help*

Second-language teaching, like every other sector of education, belongs constitutionally to the provinces. Nevertheless, the federal government has demonstrated a commendable leadership to provincial governments through several programmes. The Department of the Secretary of State has initiated or financed all of these, as an increasingly effective catalyst.

The Department's major programme in this area is its agreement to grant provincial governments \$300 million in a four-year plan up to 1974. This "Federal-Provincial Program of Cooperation for the Development of Bilingualism in Education" has led to some murmurings of misspending already noted in last year's report: during the fiscal year under review, the Commissioner received 15 complaints from citizens or associations in six provinces alleging misuse of federal language funds. Since this first federal-provincial agreement left provinces exclusive rights to spend, and account for, federal grants, the Commissioner could do little to track down the facts behind the allegations.

Given the constitutional realities of Canada, the Commissioner thinks it unwise, indeed unfair, to drop hints of scandal. In the face of some skepticism about the funds' disposal, however, he cannot ignore the issue, and thinks it reasonable to repeat last year's hope that money Parliament votes for language will be spent on language. In the end, the vigilance already shown by parents and the press should ensure that

education departments will use the grants as intended—including an equitable distribution between the programme's two goals: teaching official languages as second languages and teaching in official "minority-language" schools. Indeed, recent consultations between the Secretary of State and all ministers of education, together with continuing contacts between his officials and the provinces, led him in January 1974 to report to members of both Houses that he was "impressed and encouraged" by progress in school language programmes—plainly implying that he (as well as the provinces) believes federal language money is being properly spent. He has also indicated that the second federal-provincial agreement (to be negotiated in 1974) will provide Ottawa some form of closer "accountability".

Accountants' quarrels aside, a report tabled by the Secretary of State in June 1973 confirms several signs of progress the Commissioner has noted in personal observations, and which reflect an undeniable commitment on the part of provincial educators to improve language programmes. In sum, the report shows an encouraging increase in enrolment in minority-language schools—some regional declines being laid at the door of a slight general drop or of mobility in French-speaking minority populations. It is also confirmed by the above Table C showing a rise in elementary-school enrolment in French as a second language and the short-term (one hopes) fall in such enrolment at the secondary level. More specific improvements include: creation by most provinces of French sections within their curriculum branches; launching of new programmes and reviews, and hiring of special advisers for both types of teaching assisted; establishment of more minority-language secondary schools (previously often the missing link in French-language education outside Quebec) with better qualified teachers; seminars, pilot programmes, summer courses and other methods for upgrading skills of second-language teachers; student exchanges; and the marked spread of up-to-date, often made-in-Canada textbooks and audio-visual materials. All of these reforms, even if subject to a little good-natured doubt, convince the Commissioner that the Secretary of State's linguistic "seed money" is a programme richly deserving renewal and expansion.

A second continuing success story is the Summer Language Bursary Programme. During the summer of 1973, this scheme allowed over 4,000 young Canadians, in junior colleges or universities, to spend about six weeks full time learning a second official language. Likewise a new \$4-million two-year shared-participation programme with Ontario to enrich teaching of French as a second language in the Ottawa area seems to be working well. The Commissioner's contacts with two of the four school boards benefiting from these funds indicate that this more than symbolic stimulus has moved teachers and curriculum

specialists to undertake experiments, notably in immersion classes and teaching materials, which should, when tested, provide sound lessons for the whole country. The Department has also played a valuable role in aiding research into language pedagogy. The Commissioner, bearing in mind that others will do the administrative work, suggests to citizens or institutions interested in money or guidance for any of these purposes to apply to their own provincial authorities, who are fully aware of resources and opportunities available through the Secretary of State's Department.

A final, and potentially revolutionary, plan is the Interprovincial Second-Language Monitors Programme. Readers of the Commissioner's first two reports may recall his harangues in favour of such a scheme: it allows young post-secondary students to "work their way through college" for a university degree in a province other than their province of residence, in exchange for helping out with their mother tongue (especially through conversation and accent training) in local schools as assistants to second-language teachers. Shameless and probably unconstitutional lobbying by the Commissioner and his colleagues finally paid off in May and June 1973. Then they were lucky enough to gain the backing of all 10 provincial Ministers of Education (in consultation with the Canadian School Trustees' Association and the Canadian Teachers' Federation) and, for all the money once again, of the Secretary of State supported by the Prime Minister. In a matter of weeks, the Secretariat of the Council of Ministers of Education, in close liaison with provincial co-ordinators, pulled off the miracle of getting liaison programme on the rails for September 1973 with 176 monitors and, a few weeks later, and in varying degrees, the participation of all provinces. By January 1974, the Secretariat had virtually reached the total goal of 200 volunteer monitors for the first year of the two-year pilot programme, each monitor receiving an assistanceship of up to \$4,000 plus a maximum of \$300 for travel costs.

In late November the Commissioner met some forty monitors in Ottawa. Their early weeks of experience reflected great goodwill on all sides to cure the inevitable growing pains any programme of such untested nature and scope must meet. The monitors' enthusiasm, and that of participating teachers and school boards the Commissioner has spoken to, lead him to hope that within two or three years, a vastly expanded programme will at last enable our country to exploit, with the realism and spontaneity only young native speakers can bring, the living linguistic heritage which has so tragically escaped most of our classrooms. The programme is not a cure-all; but it should make real to thousands of young Canadians for the first time the dream that most of Canada's adult population may some day express itself, however haltingly, through two world-girdling tongues. And, at least as important,



it should help young people reject old prejudices about their country-men speaking the other official language by allowing them to meet face-to-face, agree, debate or disagree, within their normal place of academic work.

### *3. At Forty You're Not Over the Hill: Beat the Energy Crisis While Seeing Canada First*

Investing in youth is foresight. Acknowledging the influence of age is realism. The Commissioner here briefly floats an idea which Parliament may wish to study to help all adult Canadians participate in the search for a country which knows itself a little better.

In several European countries, governments have for long subsidized yearly holidays by citizens on national railways. The Commissioner notes constantly in his travels about our country that many citizens are more familiar with the United States, Europe or even other continents than with vast parts of their homeland—particularly parts speaking predominantly a different official language. He wonders if Parliament should not consider subsidizing a much more extensive scheme along the European example.

Of course many travel companies already offer special fares for those over 65, those who ski or manifest other such perilous affinities. But it seems time to broaden such privileges more usefully and democratically for all Canadian taxpayers. The Commissioner thinks that a national travel policy for all adult Canadians (with or without children), a plan offering every citizen one strongly subsidized trip a year within Canada, could work quite simply: Parliament would subsidize all public and private airlines, railways and buslines in Canada (on a cost-recovery basis) to enable them to announce major, across-the-board discounts to all citizens at any time of year during annual vacations. To promote long-distance travel most likely to mingle the two language groups, the CN, Air Canada, CPR, CP Air and private buslines might for example allow a 50 per cent discount on distances of at least 1,000 miles and 75 per cent on distances over 2,000 miles. Seasonal adjustment of discounts could take into account fluctuations in load factors, particularly for airlines, for which these can so easily mean profit or loss.

The advantages of such a scheme could prove significant. First, it could lead to a vastly better understanding among Canadians of both language groups who, even if they did not learn to love each other, could at least learn to distrust each other more intelligently. Second, it could provide potentially great help to Canada's balance-of-payments position by enticing Canadians to spend more tourist dollars at home---



in 1973, Canadian travelers spent some \$1,684 million abroad. Finally, for travel companies themselves, a seasonally sliding, but always generous, subsidized discount scheme could smooth out annual curves of passenger revenue, thus facilitating planning and budgeting, and possibly easing some labour troubles by making lay-offs less necessary. Even the Minister of Energy, Mines and Resources might sleep better and dream of gargantuan savings of oil through use of public, instead of motor car, transport.

The Commissioner recognizes that he cannot speak with authority on a question with so many economic, political and administrative implications. But in praise of slightly older women, and men as well, of the luckless taxpayers squeezed and squeezed out between special fares for teenagers and Goldenagers, he invites Parliament and public opinion to give this scheme more than a passing thought. Henry Ford, in pursuit of profit, put the U.S.A. on wheels in 1914; maybe, in 1974, somebody ought to put wheels and wings under Canadians in pursuit of both self-interest and national self-knowledge.



## Chapter II

### YOU'RE O.K., I THINK I'M O.K.

What do the Commissioner and his colleagues do when not pontificating at Parliament and public in annual reports? Trying not to tilt too much at windmills, they busy themselves with investigating complaints and initiating "preventive medicine" studies to meet the duties laid on them by law. For the reader curious about the nuts and bolts of procedure, this chapter outlines how each of the Commissioner's two operational services functions and how each views its experience of the past three years. But first, a breath of the invigorating climate in which the Commissioner and his colleagues work. Here the Commissioner opens wide his letter-box (omitting names, of course) to offer a small but perhaps revealing slice of Canada's linguistic life.

#### *A. The Mail Box: Not Fanatics, Just Different Kinds of Fans*

In his role as "linguistic ombudsman", the Commissioner receives many letters covering areas within or without his jurisdiction. These letters come from Canadians writing not to complain of an alleged infraction of the Official Languages Act, but to encourage (or discourage) the Commissioner in his task, raise questions about the Act, pass along suggestions, criticize the implementation of official languages policy, or ask money for causes invariably commendable. Apart from teaching him much about his own misconceptions and follies, these letters aid the Commissioner to identify fields where he and other people in government need to help the public come to grips with matters bilingual through more and better speeches, interviews and information programmes.

Most of these general-subject letters come from English-speaking correspondents. Letters containing specific complaints are mainly from French-speaking citizens.

The Commissioner and his correspondence staff try to write detailed answers to questions raised in letters. As stated in last year's Annual Report to Parliament, "the ombudsman must never shut his door . . . If he cannot help the complainant officially under the Act, he should try either to explain clearly and simply to the complainant why all the possible 'doors' seem closed, or unofficially to find him or her the 'right door'—the valid recourse—on which the ombudsman is ready to knock in the complainant's name."

This philosophy in dealing with complaints applies to all letters: several people were helped to straighten out unemployment problems, complicated forms or what they saw as an interdepartmental run-around often unrelated to language; a lady from B.C. requested and received copies of Christmas carols in French; a nurse on the Labrador border got teaching materials for colleagues who, while not following the Commissioner's advice to teach French in bed, wished to treat bed-ridden patients in English; and countless others got a painless referral, for funds, to the philanthropy of the Secretary of State.

To give an idea of types of letters the Commissioner receives, he reprints some excerpts here, excluding however missives judged grossly obscene, and therefore unparliamentary.

### *1. Two Official Languages—Pro and Con*

As the reader will note, many citizens still prefer to think of language with their hearts.

#### *a) Pro*

##### ALBERTA

"We stand to gain much by the implementation of the government policy. It is an opportunity to be fair to the French-speaking minority in Canada and a tremendous opportunity to enrich the lives of the majority by a knowledge of the French language and culture."

NOVA SCOTIA—"If they knew more of each other, I guess they'd lay aside one half of their fears and all of their abuse."

—T. C. Haliburton, *Sam Slick*.

" . . . I am not French and do not speak the French language, but I have a very deep admiration and appreciation for the part that the French Canadian people have played in the exploration and development of our Country. The French part of our history is as illustrious, if not more so, than the rest of it . . . "



## ONTARIO

[Translation]

"... I am surprised that the federal statutes of Canada are written in one official language and translated into the other. This practice could be interpreted as an indication of inequality of status between the two languages, one of them being the 'translated' or 'second' language. It would seem that the bilingual character of Canada can be maintained only if the laws that govern it are written simultaneously in English and in French..."

## ONTARIO

"... Personally I don't believe that the majority of English-speaking Quebecers consider the Government's bilingualism policy as a replay of the Battle of the Plains of Abraham in which this time they lose. I think most English-speaking Quebecers support the Official Languages Act and the bilingualism policy as a positive step in which both sides should win."

## ONTARIO

[Translation]

"The federal government seems to be becoming aware [and] has done its subjects justice by printing all documents in both official languages and giving a seven per cent premium to those of its employees capable of speaking both languages. This is an encouraging step, and I hope that more will be done along these lines.

As for the provinces, much apparently remains to be done in this area..."

## MANITOBA

"I am a middle-aged Western Canadian, one of many who wanted to become bilingual. Unfortunately, I am not employed by the Federal Civil Service so had to pay for my own language lessons... I would like to suggest subsidized family holiday exchanges between Quebec and Western Canadian families... I feel that any Canadian with a sense of nationhood must learn about the 'other' culture. My own investment of time and money has been rewarded by a real understanding and respect for the ability of my fellow Canadians."

b) *Con*—"Audi partem alteram—Hear the other side."

—Saint Augustine.

## ONTARIO

"... Everyone knows that the working language of North America and of a large part of the world is English... the sooner we have the majority telling the minority what to do, it will be better for all of us."

## QUEBEC

"...I am not against French—most of our best friends are French."

ONTARIO—"My sone, keep wel thy tonge, and keep thy freend."  
—Chaucer, "The Maunciple's Tale", *The Canterbury Tales*.

"... Everyone knows that English is the working language of not only North America but of the world and it didn't get that way by being jammed down peoples' throats as they are trying to do with French..."

## ONTARIO

"In reply to my recent complaint about the unilingual French now rampant in Ottawa, you have sent me a reply through a Franco-phoney..."

## ONTARIO

"... So far the problem has been debated in Parliament, dialogued in the press, discussed by the public (especially those in the Public Service) and absolutely no progress has been made on the implementation of bilingualism into the Public Service. In putting forth ideas and proposals that may help to make bilingualism work everyone—parliament, the press and the people—all choose to ignore the obvious. Bilingualism cannot work just as long as the "Waspish" hierarchy remain in control. You cannot legislate against emotion..."

## ALBERTA

"... and nine out of ten of the people I talk to, both in my office and in the profession are strongly against the great push towards making this a bi-lingual Country to pacify one Province... most of them tell me it is a big laugh, go to Montreal or to a local university for a big party, and learn French while drawing full pay and have the tax payer bear the brunt... Quebec of course, the one Province that is running this country why do you keep forcing the issue like a Dictator..."

Let them integrate like the other Nationals have done and other Cultures and will have one great Country."

## ALBERTA

"... The majority have never accepted the Official Languages Act and never will!!... Contrary to your personal opinion the Official Languages Act has not unified Canada. It has alienated all Canadians who are not Quebecois."

## ALBERTA

"It's about time for us all to be frank and consider deeply the term heard 'FRENCH CANADA'—'FRENCH CANADIANS'. Could

someone tell where French Canada is? and how long France has held any area in CANADA?...but to try and force all government employees to become bilingual or multicultural it speaks of a touch of dictatorship and time for a government change.”

#### QUEBEC

“...Canada’s and Quebec’s continuance of this program of preventing assimilation of the French Quebecers by having English Quebecers speak French is unrealistic. This well conceived program will not prevent assimilation it will merely delay it...the truth is they can only be saved by the United States becoming a French speaking nation...”

QUEBEC—“... This is the only clear idea we have of ourselves and our destinies, to persist, to keep our identity. And we have kept our identity; perhaps centuries in the future the world will turn to us and say : ‘These people come from a race that does not know how to die.’”

—Louis Hémon, *Maria Chapdelaine* (trans.).

“...It is somewhat unjust to condemn or criticize the great majority of the unilingual English Quebecers for following a natural normal human behaviour pattern... That the French in Quebec over the course of centuries will be assimilated regardless of what they do and that Canadians should have the perception or the honesty and the courage to face this fact now if they are to have a hope of preventing Separatism...”

#### QUEBEC

“... Do you know that at the Université de Québec in Montreal you risk being beaten up physically if you advocate speaking English? ... Are you aware that the French maintained a closed society here for centuries until the English arrived with the Conquest? Did you know that not a single Protestant or Jew was allowed to set foot on Quebec’s hallowed soil under the Ancien Régime, that, in fact, it lived in an isolation as extreme as Japan’s until the British with their godless ways arrived?”

#### QUEBEC

“... We find that our language and culture is being threatened by the French, and through official government decree...”

#### QUEBEC

[Translation]

“... we cannot even speak our own language correctly and they want to impose bilingualism on us. And even worse, we are speaking in translation...”



BRITISH COLUMBIA—"We are in the rapids and must go on."

—Thomas D'Arcy McGee, *Confederation Debates*, 9 February 1865.

"Two official languages can only cause trouble, check Belgium . . . Speaking two languages is a beautiful idea, but not when you must have every piece of printed matter in the country in two languages, people have always complained about red tape & this is WOW! . . . All of my New Canadian friends think we are Stark Staring Nuts! . . . Please call it off! there must be some constructive things to spend our time & money on . . ."

MANITOBA—"Can Getting There Be Half the Fun?"

" . . . You can keep your Frenchmen down in the East. I wish they could all be transported back to France where they belong . . ."

NEW BRUNSWICK

" . . . I don't think the French meant Bilingualism but unilingual French only . . ."

NEW BRUNSWICK—"As far as I can judge, not much good can be done without disturbing something or somebody."

—Edward Blake, Speech at Aurora, Ont., 3 October 1874.

. . . We now have a situation where one of these ethnic groups has been selected for special consideration at the expense and inconvenience of all others. This trend must cease at once . . . I would ask you in all fairness, Mr. Spicer, with less than 3% of the population outside Quebec unable to speak English, who needs or wants bilingualism?

The facts are, Mr. Spicer, bilingualism is being brought about by a mere handful of agitators aided and abetted by politicians wanting votes and the press out to sell newspapers. . . . I trust I have made myself clear and that immediate steps will be taken to reverse this trend toward a divided country and get on with business of making Canada great."

## 2. *The Public Service*

None of the comments received express strong reactions against teaching second languages in the public service. There remains concern about the difficulty in learning a second language while working, or trying to do it (i.e. learn another language) at an "advanced age". Some English-speakers still worry about career advancement being blocked because of official languages policy. One person believes that not only public servants but ordinary citizens should be given govern-



ment second-language training; many others, of both language groups, wish easier access to such training.

## ONTARIO

“... Recognizing the difficulties encountered by students who find themselves in a classroom situation after many years away from school, and of the mental strain created by the conflicting job responsibilities and emotional factors, it is vital that everything possible be done to create and maintain strong motivation. . . . Films could show people not only how a second language can open up new vistas of books, newspapers, television, films, plays, entertainers but also business reports, papers, correspondence, conferences, not to mention ideas and friends . . .”

## NEW BRUNSWICK

“... I am myself a Federal Civil Servant of many years and feel that either the various heads of departments or the Public Service Commission have lost sight to the approach to the implementation of bilingualism which has seriously hampered the unilingual English people from applying for Federal Civil Service jobs when the competition posters require bilingual employees . . .”

BRITISH COLUMBIA—“Merit is never having to say ‘you’re right.’”

“... I too feel that there should be more clarification on the issue of bilingualism in the Civil Service . . . In my view, most Canadians are willing to accept bilingualism and I do, but certainly not at the expense of the merit system in the civil service . . . my criticism is that the implementation has been too speedy . . . The careers of civil servants who are not bilingual and who have devoted many years in the service of their country, must not be prejudiced in any way . . .”

BRITISH COLUMBIA—“There is no strength where there is no strain; seamanship is not learned in calm weather, and born of the vicissitudes and struggles of life are the wisdom, the dignity, and the consolations.”

—Joseph Howe, Address to the Ottawa YMCA, 12 February 1872.

“Over the past years I have made several abortive attempts to learn French. These always fail because for one thing it is hard for me to discipline myself at home to take the time for a daily lesson.

As I cannot afford to buy records or pay tuition fees I am never sure if I have the correct pronunciation and this is discouraging, so here I am at middle age, still unilingual . . . and can you explain why the opportunities to learn French have not been given to the ordinary

taxpayer. I understand that Civil Servants can get this training and this is helpful but why not all loyal citizens be treated equally?"

ONTARIO—"Maybe this man has the answer."

"SUBJECT: *A Proposed Alternative Method of Providing French Language Training to Public Servants*

PROPOSAL: To allow public servants to live in a francophone milieu for a fixed period of time in order to obtain a thorough familiarity with the french language.

REMARKS: The basis of the proposed tuition method is the popular assumption that the best way of learning a language is to have a mistress or lover who only speaks that language. It has been demonstrated analytically . . . that this assumption is economically sound and the proposal is that public servants be allowed the option of moving to a francophone milieu at the government's expense and obtain a french language capability at a cost not exceeding the true present cost of language training.

COST: The financial cost of this proposal will be less than the present method of french language training."

ALBERTA—"And for those no longer moved by sex . . . "

" . . . I would seriously suggest that once tuition fees in the French language are made tax deductible, you will see a large resurgence of interest in this language . . . "

ONTARIO

"Purpose: To make bilingualism a national and personal goal of Canadians and an energizing force in the formation of a dynamic national character having dual French and English poles.

Means: A popular mass education movement diffused from public relations centers established in the principal cities, towns, villages and countrysides across the nation. These centers would act as gathering places for the French-speaking people of the locality, to help them conserve and cultivate their cultural heritage and its contemporary expression. The centers would also serve as a focal point for the activities of students' French clubs, adult education language study classes, study groups (e.g. University women) curious about French literature, theatre, films, chansonniers . . . "

### 3. Education

A majority of correspondents writing about education did so to support the teaching of French. Many writers reacted to the Commissioner's

statement in his Second Annual Report to Parliament that “the teaching of second official languages in Canada remains a country-wide catastrophe . . .” Most, if not all, letters centered on the teaching of French in English schools, and tended either to deepen the Commissioner’s apocalyptic gloom or to exempt a certain district or school from the national disaster area.

#### a) *Pro*

ONTARIO—“If every day in the life of a school could be the last but one, there would be little fault to find with it.”  
—Stephen B. Leacock, *College Days*.

“. . . But I was most of all impressed by what you said about the educational failings of the provinces in teaching the French language. I could not agree with you more. In this matter there is a sad failure in Canadian enterprise and imagination . . .”

ONTARIO AND QUEBEC—“Now You’re Talking.”

“. . . Might I as a concerned Canadian citizen suggest most strongly that the very ultimate in bi-linguality for all could be achieved at far less cost. By the simple expedient of (beginning in kindergarten classes in 1975) assuring full and proper bi-lingual instruction in all this nation’s primary and secondary schools— with standardized first-rate school textbooks (bi-lingual) made available for all schools . . .”

#### QUEBEC

[Translation]

“If from the outset both official languages were taught on an equal basis in all Canadian schools, how many unnecessary words and how much turmoil could have been avoided!

Why not introduce the second language into the curriculum everywhere? Each Canadian would become twice as valuable without any effort whatsoever . . .”

#### BRITISH COLUMBIA

“. . . Surely, in Canada, our children should learn Quebec French . . . I believe the problems of bilingualism which our children will have to contend with,—are all with the parents. I have observed instances where parents are still hotly debating the pros and cons of bilingualism, —(in Northern Quebec),—and the little ones are chatting away using either language quite indiscriminately. Sometimes the very small ones do not even know they are bilingual . . .”

ENGLAND—“Modesty forbids the Commissioner and his bilingual colleagues from believing all of this . . .”



"... bilingualism is a means of expanding the general intelligence of this generation of Canadians and all the new generations to come. Julian Huxley has pointed out that an increase of even a fraction or two in the general level of a society's I.Q. can have very material benefits to that society. So here, in the very nature of Canadian federalism (and in the policy of bilingualism and multiculturalism) lies an unrecognized but invaluable means of raising the average Canadian I.Q. levels, and thereby raising our material and spiritual well being as well—while at the same time saving Canadian unity. (Hallelujah!) ..."

*b) Con*

BRITISH COLUMBIA—"Look what they've done to my song!"

"... If you are so anxious to shove French Language down the throats of 5 and 6 year old non-French speaking peoples, you should start shoving English down the throats of all French in Canada. Is this not very fair? ... But you, and others who have no consideration for little children will try to force an almost impossible task on the unsuspecting very young ..."

*c) Other Ideas*

ONTARIO—"Go West, young man ... or East, but go!"

"... However, my colleagues wish me to express their disappointment that no reference seems to have been made to the very real efforts which have been made in recent years by the teachers themselves to update methodology and to develop more interesting and relevant materials ... I think it must also be pointed out that teachers as a group very often carry on a heroic struggle against the indifference in the community and in some Boards ... Finally, in closing I think that your suggestion that the situation in Europe is better is ill-founded ... We all know that the reason European children pick up a second language more readily has to do with school systems and methodology than with the intellectual and social climate in which they live ... Massive exchange between young people in European countries has been going on for many years while we, in Canada, have scarcely scratched the surface in this regard ..."

*4. "Third" Languages*

Writers interested in "third" languages do not usually oppose the Official Languages Act itself, but often believe that languages apart from English and French should be given official status. One correspondent worries about a fortune cookie plot and another about Canadians being turned into a bizarre species akin to the Hydra. Most



correspondents, however, seem to base their view of justice on more sober studies of the census by mother tongue.

#### ONTARIO

"Linguistic fair play? Just what is that, in a country made up of many languages, and so should be known as multilingual and not bilingual. How can this Government hope for national unity when one second language is raised and all the others are ignored? There seems to be all kinds of concern for the Canadian of French origin to feel at home in government and in the capital, but none for the Canadians of the other ethnic origins. This is called 'Linguistic fair play?'"

ONTARIO—"The chow mein probably tasted better . . ."

"... In a Chinese restaurant in the province of Quebec we were given fortune cookies in French and English. Is this not carrying things a bit far? And what about the Chinese people who operate the Restaurant? They have their language too. This is discrimination."

#### MANITOBA

"... We would have much more happiness in our Country if we had one language officially. I think it is simply wonderful for anyone to be able to speak many languages, but how does the French get in there officially and not Italian or any of our other many languages . . ."

QUEBEC—"True feeling is critical as well as honest thought."

—John McNaughton, *Essays*.

"... You feel sympathy for the French, and wish to spread the use of French, because 'their culture is threatened'. The Jewish culture in America is threatened too. Would you be willing to convert to Judaism in order to save it? . . ."

#### ALBERTA

"... We have a lot of nationalities in the Province, German, Italian, Greeks, Yugo-Slave, Poles who are, and are proud to be, Canadians, and they are just as much entitled to have their mother-tongue displayed and used as are the French."

#### U.S.A.

"... If the Quebec French and other French in Canada wants to be fair with everyone, then it is only fair that the Indians and all nationalities in Canada practise their own language and display it as French is displayed and used. . ."

MANITOBA—"Could you explain the oxygen system again, please?  
We are about to land."

"... May I ask what about the other ethnic groups. Their language is just as important to them as French is to the French Canadians. In

all fairness their languages should appear on packages, be announced on air flights and on signs in our national parks . . .”

QUEBEC—“There is no room in this country for hyphenated Americanism.”

—Theodore Roosevelt, Speech, New York, 12 October 1915.

“Those who, in effect are charged by the Government of Canada to ensure that the implementation of this programme is done in such a way that there is no shadow of doubt, that a Canadian, no matter his origin, is a Canadian, not a hyphenated hydroid. . .”

### 5. *The World of Business*

Following are opposing views about a business world using more than one language. An Ontario writer, no doubt moved by a wish to diversify Canada's exports, suggests that Spanish would prove a more useful business language than French.

ONTARIO—“Bilingualism is good for business.”

“... It was not until I actually read the article that I appreciated the massive task you and your staff have undertaken.

Your patience must be partially guided by the satisfaction of knowing that when fully implemented your ambition and efforts will have placed Canada in an unprecedented cultural spotlight. As our export business increases and Canadians more and more take to travelling abroad, the bilingualism and the personal enrichment it must bring will be the fruits of your efforts.

I personally feel that an important part of the bilingual program's success lies in its acceptance by business and industry, and accomplished through the positive implementation of French instruction to those who require it and want it within the large corporate structures. . . . I think we are in agreement that Canada as a whole, and only as a whole, has a wonderful and bright future. It is every Canadian's responsibility to preserve those aspects of our short yet colourful heritage, not least of which is our French culture . . .”

ONTARIO—“There comes a time in the affairs of man when he must take the bull by the tail and face the situation.”

—W. C. Fields.

“Your posture on bilingualism has long been a source of mystery and irritation to me . . . To command a second language is an asset but may I suggest that our efforts in this direction should be to learn Spanish. As a business language it would aid Canada, an exporting nation, to

conduct business with the burgeoning market of South America rather than pursue a patois French which is of dubious value in Canada and even less in France which hardly recognizes our 'French' and is solidly locked in with the European Common Market . . . ”

ALBERTA—“If English was good enough for Jesus Christ, it's good enough for me.”

—A “B & B” legend.

“ . . . a divided Canada—mostly brought about as a result of the ‘Official Languages Act’ which could be termed a costly, unnecessary, politically inspired faux-pas. It should be repealed. . . . Bilingualism has increased the cost of every manufactured or packaged product sold in Canada, thus contributing to inflation. Bilingualism has not achieved unity in Canada—it will only serve to further divide Canada similar to what has happened in Ireland Belgium where it recently brought down the Government . . . I would hope that French-Canadian members of the house would forget about emotionalism for their mother tongue and talk common sense to their constituents.

I consider the Official Languages Act to be discriminating and injurious to the citizens of rural Quebec—they deserve every opportunity to take their rightful place—as citizens of Canada—in the upper echelon of the business world. Without English the rural, or any Quebecker is [not] going anywhere—except maybe to the Fedesal Civil Service . . . ”

6. *Flowers and Weeds (Preceded by Flora and Fauna of Africa)*

The following excerpts touch on the Commissioner and his role.

a) “*Westmount Rhodesians*”—“He put his foot in it.”

—T. C. Haliburton, *Sam Slick*.

The Commissioner's briefly infamous “*Westmount Rhodesians*” remark about Montreal's mainly English-speaking community produced considerable comment in letters and newspapers. He used (though cannot claim he coined) this expression during a question-and-answer period before the members of The Association for Canadian Studies in the United States in the spring of 1973 in Washington, D.C. Unaccustomed to facing such learned assemblies, the Commissioner shot from the hip and, on his return to Canada, all Hell broke loose—including one fleeting threat of impeachment. His hasty backpedalling about the term's “affectionate” overtones convinced few, or at least not all . . .

Among those who understood the Commissioner's remark, one person was moved to create a poem. Others wrote to praise the Commissioner or to bury him.



## ONTARIO

"Congratulations for smacking those smug faces down in Washington last weekend. I wish I could have been there to applaud . . . Once again, congratulations for socking it to them . . .

Keep stirring the pot."

## ONTARIO

"... We have our fuddle duddles

And our Civil Service slobs

I do declare the media

Maintains we might get charged

For harbouring White Rhodesians

But Spicer brought them up

In hope that each of us could share

A tender loving cup

Of anglophone and francophone

And fuddle duddle slobs

It makes for quite a 'cocktail'

At our international clubs!"

QUEBEC—"Isn't it queer that only sensible people agree with me?"

—Robert C. (Bob) Edwards, *Calgary Eye Opener*, 5 October 1912.

"... I felt, particularly after your speech of Saturday last, extremely pleased to know that someone as talented, and doggedly dedicated as you were in such a frustrating but frighteningly important job. This letter is to remind you that you are not alone in caring . . . 'Il faut l'encourager'. Keep fighting the good fight . . . only a few of those present could really have taken your remarks to be shocking or offensive . . . In conclusion although some may have found the distorted report of Mr. Spicer's comments shocking or flippant or 'offensive', the truth often hurts. Unless we, as English-speaking Canadians, either Liberal or Conservative, are not prepared to make genuine efforts, and here the people of Westmount should be in a conspicuous lead, instead of in the rear to learn French, safeguard the unique culture of Quebec, and so have for the future the immense benefits such as preservation can bring all of Canada, Confederation is worth very little indeed . . ."

## QUEBEC

"... Many of us in Westmount are French. Our Mayor is French. Our public services are perfectly bilingual. We send our children to French immersion classes. Newcomers like myself attend conversational French classes at night. Perhaps other parts of Canada are not coming up to your expectations—why blame Westmount? . . ."



## QUEBEC

"... My sense of humour may be feeble, but for the life of me I can find nothing 'affectionate' in the term 'Rhodesian'..."

QUEBEC—"But the Commissioner's only party is Saturday night..."

"... It helps a lot, then, to have an elected representative of the people, of cabinet rank, ridicule us in a foreign capital as you have done. Thanks very much... I shall never vote liberal again and I intend to join actively in working for the defeat of your party..."

## ONTARIO

"... I submit to you that, apart from your statutory and moral duty to protect English language rights within that context, it is further incumbent upon you to use your good offices to see to it that English continues as an official language, in fact as well as in law, within the context of relationships by Quebeckers with their provincial government in Quebec City.

QUEBEC—"My family has attended Oxford University for three generations..."

—Lady in street, in television interview.

"More importantly, I suggest to you that your comment is indicative of the very kind of "Archie Bunker" type of bigotry which you continue to damn in others publicly and angrily..."

## ONTARIO

"*Westmount Rhodesians*. Please do not insult Rhodesians of whom you can know little, by comparing them with your overfed and grey-faced Montreal compatriots."

## b) *Flowers*

## QUEBEC

"I want to say thank you for helping bring bilingual and make someday Unity... and I hope you'll keep the good work for the sake of all our grand-Childrens sake..."

## QUEBEC

"... I have commented to you previously on the fine work you are doing in your official capacity as Commissioner for the Official Languages... With very best wishes to you for continued success in your essential mission."

## NOVA SCOTIA

"Wish all Canadians could have heard you on Encounter today for the sake of keeping Canada together. Please work at getting your message across."

QUEBEC—"He who has conquered by force has only half vanquished his enemy."

—François-Xavier Garneau, c. 1826.

[Translation]

"... I am writing to congratulate you on your impartiality towards all Canadians, from coast to coast. I know that your job is a thankless and difficult one. I deplore the fact that despite your efforts, you have not been as successful as you deserve to be. You know that the ill will does not come from the Québécois; we have been patient and resigned for 105 years! If the Anglophones hate us so much, why do they persist in keeping us in Confederation? Because after we become independent, they will no longer have us as their victims. What will they have then to amuse them? ..."

QUEBEC

[Translation]

"... good luck in your fight, which will probably be a long and hard one."

ONTARIO

[Translation]

"... and I realize that you have numerous problems to cope with. PLEASE KEEP FIGHTING! ..."

QUEBEC

[Translation]

"... You will not be able to say it often enough, since people are thick-skinned and hard of hearing when it come to changing old personal habits. But you must not despair. Didn't Saint John the Baptist cry in the wilderness for forty days! ..."

QUEBEC

[Translation]

... I am very much in favour of languages and think that it is a great asset for a nation to have two languages and two cultures. I am looking forward to the day when people will understand that it is a great advantage to be a polyglot, because we will perhaps then have made considerable progress toward achieving understanding and fraternity between peoples.

I therefore encourage you to continue in the same direction, preserve the same attitude and persevere in your activities; there are others who support you ..."

c) *Weeds*

ONTARIO—"Fere libenter homines id quod volunt credunt—Men willingly believe what they wish."

—Julius Caesar, *De Bello Gallico*.

"Whereas I contribute to your salary in some small way, I believe I have the right to let you know what I think of your position and what you are doing with it . . . Perhaps if you had talked with English speaking Civil Servants from coast to coast since your appointment, you might not be so disappointed; they have been force-fed on French until they hate the word. Bilingual districts outside Quebec are a damned joke—and the greatest joke of all is that Quebec wants no part of it at all, and wants only one official language there. Guess which one . . . With the Canadian percentage of French down to 27, and going lower, you are flogging a dead horse. Suggest you get out while you have a few friends left . . . Since I speak for millions of people who, for a variety of reasons, cannot speak out on this national issue, except at elections . . . I would like to suggest that you get out of your thankless job while, I repeat, you have a few friends left."

ONTARIO

" . . . I have been wanting to ask for some time why you, an English Canadian (apparently) are doing your best to sell your English speaking friends down the river.

. . . And you might better spend your time trying to correct some of the injustices in gov't offices than turning traitor on your heritage. Maybe it is more lucrative your way. I hope you get pasted on the program next Sunday . . ."

ONTARIO—"Doubts are inseparable from life."

—John MacNaughton, *Essays*, 1946.

"You are fighting a losing battle which can only defeat its own purpose. The legislation was illegal in the first place by the enforcers."

ONTARIO—"Every man has his price."

". . . Anyway, Keith baby—keep whipping us—maybe Pierre will give you and John Carson a Knighthood (oops, that's English) or a Senatorship, or membership in the St. Jean Baptiste Society. As I said it sure beats selling Real Estate!"

ALBERTA

" . . . Anyhow thanks again for admitting this whole effort of stuffing French down our throats is only to please Quebec."

## QUEBEC

"When the English minority in Quebec has friends like you, they don't need enemies."

QUEBEC—"He's a muddled fool, full of lucid intervals."

—Cervantes, *Don Quixote*.

"You may not appreciate the fact that 95% Canadians look upon your role as one of Formal Fool in trying to interpret what is obvious to all but more obtuse to some . . ."

[*Editor's note:* You can't fool some of the people any of the time.]

"The rest is silence."

—Shakespeare, *Hamlet*.

### B. *How and Why Stories: The Owl and the Pussycat*

Readers who survived the Commissioner's First and Second Annual Reports to Parliament will excuse a review of methods which they will now consider old hat. But the Commissioner owes something to new readers. Even seasoned observers of his Office's activities might find interest in its experience with these methods during the period under review.

The Special Studies Service, the main instrument the Commissioner has used to fulfil the duty of initiative opened to him by the Act's Section 25, has continued to help him perform the dual functions of "linguistic auditor-general" and dispenser of preventive medicine. The Complaints Service plays the role of linguistic ombudsman. The Commissioner's aim as linguistic auditor-general and ombudsman is to give Parliament a "read-out" on how, and at what pace, the 180-odd federal institutions, including Parliament itself and Crown corporations, implement the Official Languages Act. His intention in offering preventive medicine, and indeed ombudsmanship, is to be as helpful as possible not only to citizens but to the institutions themselves—while avoiding any confusion about his role of scrutiny on behalf of Parliament with the executive's responsibility for the Act's implementation.

#### 1. *Special Studies: Not Firemen, Perhaps Medical Missionaries*

How does the Special Studies Service go about its tasks? First, its staff is guided by the need for a continuing audit of institutions that is implied by the Commissioner's task of linguistic auditor-general. The Service will thus study the same institutions at different times so that the Commissioner can provide Parliament with a progress report on their efforts to implement the Act at any given moment. This attempt at pre-



ventive medicine carries limits: the Commissioner cannot, as it were, provide a warranty that there will be no further malfunction. He cannot immunize institutions which have benefited from special studies against later investigation of complaints alleging their failure to meet the Act.

#### *a) Doing It*

So much for the framework within which special studies are conducted. What now is their main thrust? They are designed to be systematic, comprehensive reviews of a practical rather than academic cast, although they are done following the basic canons of research methodology. Their salient feature is administrative analysis. Because of this emphasis on the administrative process of implementing the Official Languages Act (i.e. the policies and techniques of implementation and self-audit), and to hasten the pace of reform with a wise use of staff and money, the Service continues to concentrate its studies on policy, current practices and plans as developed at headquarters and at regional offices. These predominantly policy "audits" have extended, where appropriate, to field offices throughout the country. Indeed, this shift away from the "periphery" (the empirical audit of selected field situations which preoccupied the Office during the first year) to the "core" does not make officers less interested in the concrete implementation of the Act: professional advisory, person-to-person service to the members of the public right down to the more mundane questions of bilingual forms and signs.

The reader might want to know a little bit about how the Special Studies Service "gets it together". Staff must keep three main processes simultaneously at as high a level of efficiency, flexibility and smoothness as they can reach:

- a) execution of studies as bases for the Commissioner's subsequent reports and recommendations to administrative heads of institutions;
- b) consultation with officials of these institutions about implementation of the Commissioner's recommendations;
- c) follow-up work, including field trips where necessary, to see what steps departments or agencies have actually taken to make recommendations a reality.

The criteria influencing the choice of institutions for review remain basically the same as set out in the two previous annual reports. These are:

- a) the extent of the organization's contact with the public;
- b) the extent of the institution's service to the travelling public—a criterion suggested by Section 10 of the Act;

- c) the geographical distribution of the institution's offices, with particular interest in the National Capital Region (Section 9);
- d) the organization's symbolic significance;
- e) the strategic importance of the organization's activities, i.e. whether or not the institution exercises pervasive influence in key policy areas;
- f) the number and implications of the complaints received at our Office.

We have proceeded to place that selection process in a slightly longer-term perspective than in the past. Specifically we adopted a long-term plan of priorities for special studies while leaving room for unforeseen new needs. In conducting special studies we follow the classical "technical" steps: planning, including the preparation of interview guides and questionnaires; data-gathering, notably through interviews, but also by means of documentary search, review of policy documents and scrutiny of statistical and other material; analysis and synthesis of findings; writing of a report and formulation of draft recommendations for submission to the Commissioner.

Consultation with an institution's officials on draft recommendations is vital to the work of preventive medicine. After the study team has written its report and drafted a set of possible recommendations, it discusses with the institution's senior representatives (sometimes deputy and assistant deputy ministers opt to be present) the feasibility of tentative recommendations. This has the advantage of making the recommendations more realistic as to ways and means of action, including feasible target implementation dates. It also increases departmental officials' awareness of the legal and administrative implications of the proposed recommendations, and reduces the possibility of the Commissioner's final recommendations taking an institution's "establishment" completely by surprise.

From the beginning, and despite the feasibility discussions which precede the Commissioner's sending his recommendations to the administrative head of an institution, the Office has thought that regular, informal consultations between the Commissioner's and the organization's staff might be profitable. The Office is sometimes approached by institutions for clarification of certain points and for consultation about the general strategy of action they could adopt to implement the Commissioner's recommendations; in such cases officials like to "bounce" ideas off the Commissioner's staff or test their reaction to draft policy guidelines meant to incorporate or, allegedly, even go beyond the scope of those recommendations. These consultations can also turn on very specific, concrete problems which emerge in the course of time from an attempt to implement the recommendations. The discussions sometimes concern suggestions in the Commissioner's reports about possible

courses of administrative action. While his staff do not function as management consultants and recognize that a department's professional personnel know their jobs better than outsiders, they can often propose specific ways or methods observed in their increasing experience with other institutions. They are therefore able to share the fruits of their accumulated experience and thereby serve as a sort of clearing-house for ideas on ways of giving effect to certain aims of the Official Languages Act.

In the course of such consultations, Special Studies officers try to be good pragmatists : they are as flexible as possible about the precise means of administrative action while remaining firm, indeed unyielding, on fundamental principles related to the equality of status of both official languages. This suppleness is informed by an awareness that the Commissioner's recommendations are not chiselled in stone.

While the Commissioner's staff have had many pleasant consultative sessions, especially with institutions that initially requested the co-operative assistance of the Special Studies Service, the Commissioner thinks it timely to invite further use of this device. His experience is that this is not a sufficiently used process and, practising what he preaches about information, he wants to make it more generally known that this service is one his staff are always prepared to offer, however taxing it can be on their time, resourcefulness and diplomatic skills. Some institutions seem to wait until matters reach the follow-up stage before engaging in any type of consultations; this seems an unnecessary and mutually unproductive delay.

Following up the initial special study has emerged during the period under review as one of the major activities of the Special Studies Service.

The credibility of the Official Languages Act—and therefore the credibility and authority of Parliament itself—as well as the effectiveness of the Commissioner's Office are closely linked to the concrete action which institutions actually take to implement his recommendations. The public, especially those elements of it grown sceptical if not cynical about the prospects of deep-rooted linguistic reform, is anxious to see results.

Machinery has existed from the outset both inside and outside the Office for systematic follow-up of the Commissioner's recommendations. In keeping with the requirements of the Act, the Commissioner reports the findings and recommendations which result from special studies to the Clerk of the Privy Council as well as to the administrative head of an institution.

The Clerk of the Privy Council keeps track of these recommendations (as he does of those resulting from the investigation of complaints)



but has arranged for the Treasury Board Secretariat to pay close attention, within the scope of its mandate, especially to the administrative aspects of these recommendations, given that central management agency's strategic location and its specific responsibilities for execution of the government's bilingualism programme within the public service.

The Commissioner's practice based on the privilege granted him by Section 31 (2) of the Act, is to ask deputy ministers and other chief administrative officers for reports on steps they have taken to implement his proposals. Some administrative heads rightly take the initiative in keeping the Commissioner posted on the status of particular recommendations. To facilitate the reporting task of others he jogs their memories when, for example, his proposed target implementation dates have passed.

In fact, during the reporting period we have put this internal follow-up machinery, mentioned in our last report, to even greater use. We have requested comprehensive and detailed reports from institutions on the precise status of implementation of each recommendation made to them. This was done in the fall of 1972 and again in February 1973 to elicit from organisations, by the end of March, information on developments up to the end of the fiscal year. The Commissioner decided in the spring of 1973 that, considering the time that had elapsed since the Act was passed and given the fairly large number of investigations he had done, it would be timely for him to put more emphasis on evaluation of the performance of institutions in his *Third Annual Report* than he had accorded such assessments in the previous two reports. One of the allied administrative steps he took was to extend the reporting period to 30 September 1973, and all of the Special Studies staff (of whose jobs follow-up is an integral part) was fully occupied with collecting, analysing and digesting the requisite information that would provide part of the basis for the Commissioner's assessments recorded in Chapter III.

Our experience with this exercise in determining what was the actual outcome of the Commissioner's recommendations and institutional action leads us to think that in some instances institutions might usefully create or improve internal monitoring systems, so that they may be in a better position to implement the Commissioner's recommendations in a systematic way and report on action taken. At its worst the envisaged internal machinery has seemed to constitute an acknowledgement and the mere circulation of his report. To speak more directly, our staff did experience difficulty in prying the information loose from some agencies. This might be partly due to the relative novelty of the process, and we hope that in future it will be easier to receive status reports couched in terms of the actual recommendations even if, as is



sometimes claimed, more ambitious action is contemplated. Above all we would prefer institutions to use the consultative process mentioned above when they receive the Commissioner's reports rather than engage in polemics when follow-up information is requested. The Commissioner is confident that, once these "kinks" have been worked out of the process, the follow-up work of the Special Studies Service and his other staff, taken in conjunction with the pattern of complaints received, will allow him to provide Parliament and the public with the kind of constant "read-out" that they legitimately expect of him.

*b) Looking Back (In Ever So Little Anger)*

*1) What Does Ottawa Want?*

It is perhaps an ironical fact of contemporary North American life that, at the very time when there are so many instruments and vehicles of communication and so much talk of it, there is so little actual communication.

One of the major findings of the special studies undertaken during fiscal year 1972-73 was the information gap which seemed to exist between headquarters and the field (and sometimes between different sections within headquarters) on matters bilingual. The Commissioner weeps over various aspects of this problem in Chapter I.

Indeed a recurrent theme in the Commissioner's recommendations was an exhortation to institutions either to start or to improve a programme designed to transmit accurate information about the Official Languages Act, the government's bilingualism programme and the institutions own specific plans. The Office's main aim in preaching this kind of rudimentary doctrine was to suggest a method of creating a more favourable climate for implementing the Act.

There seemed no doubt, in the course of our studies, that well-mounted information programmes could do much to "demystify" the Act, to explain the content and rationale of government as well as department policies. The end result of such information initiatives would be, in our judgement, to foster employees' interest in the Act, create better understanding of it among them, enlist their active participation in its implementation and make known the ways and means available for meeting its requirements.

But in addition to these more general potential objectives, an information programme might help employees face the difficult transition period through which their departments pass in gearing up to the requirements of such a fundamental piece of legislation as the Act. Successful information drives, including the use of films, pamphlets and question-and-answer sessions, could help considerably to answer nagging questions as well as to dispel legitimate doubts and uneasiness.

Issuing policy directives does not seem to be enough to meet the psychological and other needs of employees and "guidelines" are certainly not the stuff to create enthusiasm and goodwill.

## 2) *The Numbers Game*

"There are lies, damned lies and statistics." This well-known saying points up the danger of too great a reliance on statistical information to plan the provision of important services to the Canadian public in both official languages. When we listen to some departmental officers, we get the impression they would be ready to take out their slide-rules (or newfangled desk computer-calculators) to measure the rise or fall of local population figures before making some fairly elementary administrative decisions.

While the Commissioner thinks he grasps the meaning of eventual bilingual districts, and the 10 per cent population benchmark to be used in establishing them, and has been an advocate of the application of common sense and compassion in administering the Act, the special studies indicate that a strange doctrine seems to seize the minds if not paralyse the wills of many administrators: the wish to use administrative convenience as a basis for not fully implementing the law, or at any rate not properly fulfilling its spirit and intent.

This state of mind has sometimes manifested itself in a spurious link made by some administrators between the relative percentages of English-speakers and French-speakers resident in the immediate area of an office and the ratio of bilingual to non-bilingual positions they think they should have on staff. What might appear a logical connection, at first glance, turns out on further examination to be an over-simplified attempt to apply a mechanistic formula. There is no substitute for a thorough analysis of the specific requirements for achieving a bilingual capability (including the use of unilingual English-speaking and French-speaking personnel) in a given office. In some cases, depending on the nature of the work and the deployment of staff it entails, the degree of bilingual capability required (and more specifically the number of "bilingual positions" which should ideally be filled) bears no resemblance to figures on the linguistic population "mix".

The percentage fallacy has a variant in the search for statistical indicators of weak proportionate potential demand—sometimes to the neglect of large absolute numbers. Hard-nosed executives will argue that it becomes too costly and is inefficient to plan to provide official language services for a small percentage of the population (almost invariably a French-speaking minority) of a given region or district, especially if the minority mirrored in that percentage is somewhat scattered. By "linguistic gerrymandering" one can prove almost anything.

Often the figures used are for very restricted areas and the institutions do not consider that a given district office, despite its location and the linguistic composition of its immediate population, might be providing service to a very large area and that there are significant numbers of people who speak what is for the region the minority official language. The cumulative effect of neglecting high absolute numbers of potential "clients" is to exclude, for reasons of administrative convenience, large numbers of people from the linguistic benefits proffered by the Act. Institutions should develop better yardsticks than proposed bilingual districts and rising aggregate population percentages to determine the potential demand represented by the actual areas of concentration of the minority language group in an area. Statistics Canada's street-by-street technique of "geocoding" could prove a valuable new tool in measuring demand more precisely. In many urban areas it can give administrators (or business) print-outs, and thus maps, showing exactly which families use French or English at home. Linguistically staffing a new post office under such conditions should no longer cause insurmountable doubts.

The point becomes particularly poignant when institutions rely on traditional statistical measures to decide on distributing printed material, posting notices and posters and erecting signs. It is one thing to be concerned about the possibility of creating almost a luxury margin of bilingual capability in a centre where it is not required and thereby "wasting" the scarce resources of bilingual staff: it is quite another matter to consider "tangible" items on the same level and in the same way as the provision of services through highly skilled staff.

And yet we continue to note a certain hesitation on the part of some administrators to apply the concept of administrative convenience in the reverse sense to that mentioned above and simply recognize how handy it is, for example, to opt for Canada-wide use of the bilingual publication under one cover, the bilingual poster and especially the bilingual sign. Such an approach removes the rock of distribution on which quite a few good programmes have foundered and it avoids the need of changing signs every time the population rises above or falls below the magic 10 per cent or other figure of demarcation.

Such an administrative decision would of course, in a sense, require that institutions assume "system-wide" demand for printed material as well as recognize the functional and symbolic importance of having federal institutions identified in both our official languages at home, and in at least those two languages abroad. It would be absurd for us to argue that such an assumption of demand, which is dictated by Section 10 for institutions serving the travelling public and the overseas offices of all agencies, is a legal imperative for other institutions and opera-



tions. What we have been suggesting on the basis of this three-year apprenticeship, is that it is infinitely less complicated to have the material on hand for instant distribution, whenever it is required by persons of either official language group. As for signs, they usually provide basic information for the general (including the travelling) public and do much for projecting the bilingual image of the institutions, and thereby indirectly announce and "offer" bilingual services—an advertisement which normally causes potential demand to become manifest.

Two sets of arguments are often advanced against the Commissioner's recommendations and suggestions on this score—the practical and the psychological. Public servants, rightly conscious of the need for frugality and care in spending taxpayers' money, easily appeal to our sense of economy with arguments based on anxieties about probable high costs and inefficiency. These are legitimate, practical considerations which the Commissioner and his colleagues understand. Yet the experience of certain institutions (such as the Office of the Chief Electoral Officer) with the actual costs of printing and publishing bilingual material is that having such material prepared in both official languages is, as a rule, not substantially costlier than producing it in one. Anxiety about "waste" is, this experience suggests, essentially at the level of myth—at any rate a preconception which administrators might find quickly dissipated by an actual request for tender. The marginal additional money cost can certainly be justified considering the aspect of Canadian linguistic justice at stake.

If the equality of status of both languages that can be reflected conveniently in printed material is usually contested on grounds of anticipated cost, the installation of bilingual federal signs except in the most obvious regions of the country is often opposed on "psychological" grounds. Some well-meaning federal public servants with a concern for finding ways to advance the cause of linguistic fair play seem to think that the mere sight of the official language spoken by a tiny minority in a given area (and this almost always means French) would trigger hostile reaction, if not riots, and provoke political "backlash" against the Act and the government's whole official languages policy.

The Commissioner and his colleagues have no evidence that a few French words on a bilingual sign need lead to bloody revolution. On the contrary, they know that many such small reforms have taken place without causing an uproar in some supposedly "difficult" cities. For example, a follow-up tour in the summer of 1973 by Special Studies staff, accompanied by departmental officers, revealed no defacement of bilingual signs and plaques erected, as part of a country-wide programme, by the Parks and Historic Sites Branch of the Department of



Indian Affairs and Northern Development, even in territories that might surprise strong supporters of the Act who would perhaps wish to proceed with what they consider cautious realism (based on stereotypes). Lest it be thought that it is merely a question of acceptance of the identification of federal institutions and buildings, the Commissioner adds that many of these unattacked signs are “directional” and “informational”. The conclusion he draws from the happy experience of this department (which, it is true, serves the travelling public through that particular Branch) is that these bilingual signs point the way to a broad road down which other institutions should think of going.

Moreover, when in discussions about both the tangible and the “personnel” aspects of bilingualism the Commissioner and his colleagues encounter middle-level and sometimes relatively junior public servants playing a pseudo-political role, they are tempted to tell them, with all the delicacy they can muster, to let their political masters worry about implementing a law which was adopted by all parties. It is wise, of course, to apply the Act within the reasonable limits prescribed in it (and everybody expects that at least senior public servants should be sensitive to the political realities of the country); but every effort should be made to fulfil not only the letter but the spirit and intent of that law. The danger of leaving decisions on fairly straightforward matters like those on “tangibles” to local amateur politicians is that too much might turn on the vagaries of their individual, locally well-informed, but limited, judgements. A law of Canada that goes to the core of our national life deserves a better fate than that.

### 3) *Assumption of Demand*

The assumption of demand across the country and abroad by institutions serving the travelling public, in Canada and abroad, rests on the Act's Section 10. The Commissioner and his colleagues have been trying, with a doggedness close to despair, to impress this simple truth on the major institutions serving that public.

While it would be absurd to suggest that a reasonable interpretation of Section 10 could stretch it to apply to other operations, there is room for the suggestion that, from a practical administrative point of view, most departments and other institutions, particularly those serving a large clientele, should consider the possibility of starting from such a position. Almost invariably they might find it necessary to have at least an irreducible minimum of (institutional) bilingual capability—quite apart from the tangible tools discussed above. This is particularly true of institutions called upon to serve an itinerant public.

This means that administrators of all institutions would find themselves viewing at least all language-of-service questions from a very

positive perspective. They would start from a presumption in favour of citizens receiving service in whichever of the official languages they choose: the idea that the taxpayer is, as to language of service, always right. Then they would decide where service would be offered on a very small scale and where it would be patently unnecessary.

This is an entirely different tack to take from that of eliminating whole areas of the country by the application of some rigid mathematical formula, then seeing what is the *least* one has to do in providing services in our two official languages. This latter approach has two vitiating elements—it's too negative and it's too territorial. The first defect puts the organization in a defensive posture and almost invariably attracts complaints because not enough contingencies can be covered off by such a minimal strategy. The second drawback is even more disturbing: it reduces considerably the chances of small "second-language" minorities getting adequate services and makes it virtually impossible for Canadians (again, almost always French-speaking) to feel at home throughout the country. This, unless they stick to the very beaten path of the institutions, serving the *travelling* public, which happen to be properly equipped to do so at the time they are on the move *a mari usque ad mare*. In short, the Commissioner and his colleagues advocate both a possible reassessment of administrative convenience and a wider interpretation of the spirit and intent of the Act.

Creating the administrative infrastructure to give practical form to interpreting the Act broadly could be facilitated by potential "back-up" mechanical devices already at administrators' disposal. For example, radio-telephone equipment and indeed ordinary telephones connecting offices far apart can greatly increase an institution's capacity to provide bilingual service over far-flung geographical areas. A case in point is the rapid but polite transfer of a call from a citizen in the official language in which the public servant is not fluent to another officer even 500 or more miles away having the knowledge and language facility to provide the answer. Planners of short-term or highly cyclical operations saddled with heavy reliance on temporary staff could find the exploitation of such technology particularly useful. Managers of less fluctuating operations might, on the other hand, find such a strategy a double advantage—they could concentrate their limited bilingual resources where they are most needed (always ensuring minimum capability elsewhere) and at the same time use those very resources to "cover off" whole regions.

Similarly, mobile officers (possibly fisheries inspectors) using walkie-talkies and similar devices could actually get, long-distance, the equivalent of simultaneous translation for citizens and themselves either when they are unable to provide service in the official language of the

citizen's choice or when it is clear that their level of competence would seriously impair the quality of that service.

Apart from the advantages of courtesy, speed and efficiency, such imaginative use of existing gadgets should provide mechanical support for *institutional* bilingualism and thereby reduce the strain on meagre bilingual resources. For the Commissioner and his colleagues hold firmly to the basic principle of institutional bilingualism, one corollary of which is that unilingual English- and French-speaking Canadians should have access to jobs in the federal public service. Another is that the careers of those persons in the service should not be jeopardized by tinkering with administrative structures required to provide bilingual services. The main measures currently considered optimal, namely the identification and designation of bilingual posts, are already creating a problem of supply. In other words, it is illusory for advocates of increased bilingualism in the federal public service to harp on demand without being keenly aware of the problems of limited human resources, and especially of fluently bilingual people qualified to fill the jobs and willing to be transferred all over the country (even if the reticence to date to employ unilingual French-speakers does not escape our notice).

#### 4) *Some Priorities Are More Equal than Others*

Probably one can best gauge an institution's whole approach to the Act by its senior management's perception of the "priority" for implementing the Act within that institution's particular mandate.

Looking back over the past three fiscal years, and especially the last one, we come to the conclusion that management's telling us that the Act is high on its priority list, sometimes obligingly in second or third place, is a bad sign—except in the case of central agencies charged with a specific mandate for bilingualism.

The message which comes out loud and clear from our many interviews and discussions with most officials is that the Act should be considered as the law of the land and one, especially because of its deep political meaning, to be implemented as an *integral* part of their respective operations. It is not a question, we think, of bilingualism being on somebody's mixed shopping list—usually cited as an index of "commitment"—but rather is it a matter of an institution's doing everything possible to fulfil the letter, and particularly the spirit and intent, of a law passed over four years ago.

#### 5) *Putting New Wine Into Old Bottles*

While encouraging institutions to make the Act an integral part of their normal operations, the Commissioner and his colleagues would



exhort them to recognize that the novelty of the Act demands that special action be taken to expedite this integration.

One measure we have constantly advocated is the appointment of an officer highly and strategically placed in an institution's hierarchy as the person to bear operational responsibility for the Act's proper implementation. The key condition we attach to this suggestion is that he or she be a person of institutional "power", by virtue of his or her other post (say that of Assistant Deputy Minister), and thereby have easy access to the deputy minister or other administrative head of the institution. A senior official of that rank is normally a member of the institution's management committee, and a person with other operational duties besides bilingualism. But, in our view, pinning this specific responsibility on him or her avoids the possible bad consequences of diffused authority. We have seen evidence to support the dictum that "what everybody is responsible for, nobody is responsible for".

In advancing this view, the Commissioner does not deny the possible counter-argument that the administrative head of an institution should hold all his immediate assistants responsible for implementation of the Act and the government's bilingualism policies in their respective parts of the organization. One could say that this approach fits in well with our plea for "integration". Indeed if the administrative head of an institution thinks this is a better strategy and, by implication, himself assumes general operational responsibility for bilingualism in his organization, this is all to the good : the programme would presumably get very special attention.

Whatever the precise means of assigning responsibility, the important thing is what is actually done. Our limited experience suggests that centralized long-term planning on a system-wide basis is essential. This need is particularly great in personnel administration; but even relatively simple matters like "signage" and publications programmes could benefit from such strong central cohesion and drive.

## 6) *Centralization vs Decentralization*

But there might be the rub: in a highly decentralized organization initiatives coming from the centre often irritate. After all, this is a vast, continent-wide country with great regional variety, and decentralization seems to be the way of the future. Far be it from the Commissioner to intrude into the domestic affairs of institutions; yet the demands of vigorously implementing a new law seem to dictate that they should make its fulfilment an exception to the decentralization rule, at least during this transitional stage. Such a proposal does not necessarily imply, for example, that regional managers should be deprived of their customary authority in staffing and some other fields. It means

that, in their efforts to administer their programmes with full regard to the Act, they should get clear and strong direction, as well as the required support, from the centre. Potential benefits of clarity, speed, cohesion, uniformity and efficiency probably outweigh the temporary risks of hurt sensibilities and resentment of apparent "Ottawa" control. In fact the visits the Commissioner's staff have made to regional and other field offices reveal that many officials in those offices would welcome decisive action and clear guidance from headquarters.

### 7) *Blowing Your Own Trumpet*

Sometimes it's bad to hide your candle under a bushel. Whether through ingrained habits of modesty (bred in part of bureaucratic caution and a wish for anonymity) or a fit of absent-mindedness, many managers simply do not make the public know that their institutions have the bilingual capability which they do in fact possess.

To them we say, "Go tell it on the mountain". They should literally advertise or "market" their services as much as possible in the media of *both* languages. Then, more importantly, they should, as the Commissioner has suggested in his *Second Annual Report* and his *Safari Kit*, actively offer their services to clients, in ever so subtle ways like cheerful bilingual telephone reception, including courteous referral to another officer when one's second language skill is slight or absent, or through bilingual posters and informational signs. Of course prudence might suggest not promising what you cannot deliver. Thus institutions would probably prefer to communicate to the public their capacity to serve in both languages wherever that capability is reasonably adequate, then tell them later where else the capacity exists as soon as they develop it.

But if modesty is a becoming trait, absent-mindedness can at times incur wrath which not even a subsequent soft answer can turn away. Some institutions that have at least a fair measure of bilingual capability still send out correspondence or printed material in the "wrong" language. One or two of the cases that come readily to mind are of correspondence not only with individuals with evidently French names but also with French-language associations! One possible way out of the printed-material trap is to have as much bilingual material as possible under one cover: distribution will always be a risky problem when separate versions of printed material, including form letters, are used. Where two separate versions of a document or publication exist, institutions should ensure that they have a sufficient stock of both versions on hand throughout "the system"; otherwise their capacity to furnish the material in one of the languages may be so weakened as to appear non-existent.

Again it's bad enough making your own mistakes, not to mention getting blamed for the mistakes of others. Some institutions have taken the commendable initiative of having most if not all of the material they distribute to the public prepared in a bilingual format. Yet out of courtesy to other agencies or because of a functional link between them, they display unilingual material from these other sources (usually unilingual English). Not knowing the exact source of these offending documents, the public tars the host institution with the same unilingual brush. To protect itself in part, such an institution might consider labelling, in both official languages, as non-federal all unilingual material from "outside" agencies. Probably the most ironical, if not heart-rending, case of all is when the bilingual material is right there in tumble (flip-over) format but is so displayed that only the version in one language is in evidence!

#### 8) *The New Environment of the Public Servant*

Because we all live in a time of such head-spinning change on so many different fronts, it may be that public servants do not realize the extent to which their jobs have changed. The net result of Parliament's passage of the Official Languages Act is that the environment of the public servant, what the academics would call the "ecology of public administration", has been transformed. This change is for the better—the public service now aims to better serve members of the public in the official language of their choice, and initial attempts, however limited, are being made to allow more public servants whose mother tongue is French to use it as a language of work.

While some federal employees still fear that the best traditions of the Canadian public service could be undermined, if not destroyed, by the attempt to give it greater bilingual capability, the responsible authorities have taken steps to demonstrate in tangible ways that they do not intend to dismantle the system. Yet the corollary of both the requirement to serve the public in both official languages, and the imperative of giving substance to the legal equality of status of both inside the service as languages of work, is an altered public service.

The implications and repercussions of this are many. Some will become clear only in the years ahead. It might not be too much to say that not only the legal, but the psychological, context is now different. If this is the case, it raises some interesting questions about the kind of public servants we need now and will require in the future. Rapid technological change has already been making its impact on rates of obsolescence of technical knowledge and skills for certain tasks, including managerial ones. Probably the impact of the "bilingual" reality of the federal public service will be further examination of



bilingualism as an integral part of the "merit principle" in today's and tomorrow's Canadian context.

Putting the question another way, one might ask whether the ideal federal public servant of the future, serving a bilingual country under the direction of his political masters, should not be expected to hold among his array of skills considerable mastery of both official languages. The weight to be given such language skills in any "merit equation" would of course depend on the specific job in question. But we should probably recognize the intrinsic value of at least familiarity with both official languages, quite beyond the precise functional requirements of so-called "bilingual positions".

To raise this question (pursued more amply in Chapter I) is to open the Pandora's Box of limited access to unilingual people from both language groups, of a bias against those who do not have a gift for languages and of stifling the careers of those already in the service. The answer is of course that adequate guarantees exist to avoid those possible outcomes, even if much more has to be done about the access to government service of unilingual French-speakers. We are really looking to the future, with probably a Utopian view. Still, one hopes, the voluntary choices of the current generation of parents and children might result in bilingualism (or at least passive knowledge of a second official language) being one string to the bow of nearly all candidates for the federal public service in the year 2000.

c) *The Things We Did Last Summer (Fall, Winter and Spring)*

As in the past we list in Table I the studies undertaken during the fiscal year 1972-73, placed in chronological order of starting date; but in order to facilitate Parliament's review of the cumulative aspect of the work, we present this as an expanded version of the similar table in the two previous reports. The usual summaries of studies done, the lists of the recommendations the Commissioner made as a result of them, and descriptions and assessments of the action taken by the institutions, where appropriate, are provided in Chapter III.

Parliament might, however, find it convenient for the Commissioner to restate what he said to the Miscellaneous Estimates Committee of the House of Commons on 10 April 1973 about the work of the Special Studies Service during 1972-73. The Service undertook 21 new studies while continuing with the two in progress during the previous year, making a total of 23 studies affecting 17 departments and agencies. As of 31 March 1973, 21 of them had been completed and two others were under way. In addition, the Service had by that time consulted with 25 departments and agencies to ascertain how they were acting on more than 600 recommendations made as a result of 40 studies. (Since

the reporting period for follow-up has been extended by six months to at least September 1973, it is easy to deduce that the subsequent follow-up work, which strictly speaking is part of what we will report for 1973-74, has absorbed a considerable additional amount of the staff's time and energies.)

The studies brought the staff in contact with the operational realities of a good sample of offices across the country—even though the focus of most studies was, as stated above, on headquarters policies, current practices and plans for the future. Indeed in two instances, particular geographical regions—the National Capital Region and the Moncton area—were chosen for special attention, in keeping with the criteria for selection mentioned above.

This type of exposure, ranging from library services, through services offered to the travelling public (a subject on which we continued to concentrate our efforts), to the central management responsibilities of the Treasury Board Secretariat, afforded the Special Studies Service an enriching experience on which it hopes to draw in its continued efforts to help the Commissioner provide "preventive medicine".

TABLE I. Federal Institutions Studied by the Office of the Commissioner of Official Languages

Study	Launched	Completed
Minister's Offices (Telephone Answering)	21/ 9/70	1970-71
Air Canada—Ottawa	9/10/70	1970-71
Ministry of Transport—Ottawa	13/10/70	1970-71
Ministry of Transport—Toronto	18/12/70	1970-71
National Museums of Canada	4/ 2/71	1970-71
National Capital Commission	5/ 2/71	1970-71
Royal Canadian Mounted Police	9/ 2/71	1971-72
Dominion Bureau of Statistics	17/ 2/71	1971-72
Department of National Defence— Canadian Forces Base—Uplands	18/ 2/71	1971-72
Department of Public Works—Ottawa	8/ 3/71	1971-72
Department of Manpower and Immigration—Montreal	15/ 3/71	1971-72
Department of Public Works—Winnipeg	22/ 4/71	1971-72
Department of Manpower and Immigration—Winnipeg	22/ 4/71	1971-72
Eldorado Nuclear Limited	27/ 4/71	1971-72
Central Mortgage and Housing Corporation	27/ 4/71	1971-72
Atomic Energy of Canada Limited	27/ 4/71	1971-72
Department of Communications	27/ 4/71	1971-72
National Research Council of Canada	27/ 3/71	1971-72
Department of Agriculture	27/ 4/71	1971-72
Canadian Broadcasting Corporation	27/ 4/71	1971-72
Department of Energy, Mines and Resources	27/ 4/71	1971-72
Department of Manpower and Immigration—Ottawa-Hull	2/ 5/71	1971-72

Study	Launched		Completed
Department of External Affairs	12/ 5/71	} Canadian Repre- sentation Abroad	1971-72
Department of Industry, Trade and Commerce	12/ 5/71		1971-72
Department of Manpower and Immigration	12/ 5/71		1971-72
Department of Indian Affairs and Northern Development			
(National and Historic Parks)	21/ 5/71		1971-72
Central Mortgage and Housing Corporation	26/ 5/71		1971-72
Air Canada—London and Paris	9/ 8/71		1971-72
Farm Credit Corporation	21/ 9/71		1971-72
Air Canada	19/12/71		1971-72
Department of the Environment (Atmospheric Environment Service)	12/ 1/72		1971-72
Department of National Revenue (Customs & Excise)	17/12/71		1972-73
Statistics Canada—1976 Census	27/ 3/72		1972-73
Canadian National Railways	30/ 3/72		1972-73
Office of the Chief Electoral Officer	21/ 4/72		1972-73
Department of Indian Affairs and Northern Development (Canals)	15/ 5/72		1972-73
Department of National Revenue	12/ 6/72	} Moncton	1972-73
Post Office Department	12/ 6/72		1972-73
Unemployment Insurance Commission	12/ 6/72		1972-73
Department of Agriculture	12/ 6/72		1972-73
Department of the Environment	12/ 6/72		1972-73
Department of National Health and Welfare	12/ 6/72		1972-73
Department of Manpower and Immigration	13/ 6/72		1972-73
Air Canada	13/ 6/72		1972-73
Canadian National Railways	13/ 6/72		1972-73
Department of the Secretary of State— Translation Bureau	19/ 6/72		
Department of National Revenue (Taxation)	28/ 6/72		1972-73
Department of National Health and Welfare (Welfare Component)	25/10/72		1972-73
Post Office Department	27/10/72		1972-73
National Library	23/11/72		1972-73
National Arts Centre	6/12/72		1972-73
Treasury Board Secretariat	26/ 1/73		1972-73
Unemployment Insurance Commission	11/12/72		
Public Service Commission	7/ 3/73		

\*Done as background study for preparation of *Second Annual Report*.

## 2. Complaints: We're All Ears

### a) Summary of Activities

Between 1 April 1972 and 31 March 1973, the Commissioner's Office received 943 complaints, 834 of them against 71 federal institutions (see Table 11). The other 109 dealt with a variety of subjects such as education, the provinces, private firms, federal M.P.s, and



public service unions, as well as Section 38 of the Official Languages Act, which has to do with languages other than French and English (see Table 14).

Since the Commissioner assumed his duties in April 1970, the Complaints Service has been faced with an increasingly difficult task as a result of the steady growth in the number and complexity of complaints. Whereas only 181 complaints were recorded during the first year of operations (the address and indeed the very existence of the Commissioner's Office were largely unknown), during the second year, the number rose to 745. The following chapter contains a report on investigations carried out by the Service during the 1972-73 fiscal year as a result of complaints received by the Commissioner during 1971-72 and 1972-73. All 143 files still under investigation on 31 March 1972 have now been closed. During the 1972-73 period, 970 files were closed; 136 of them did not involve specific federal institutions. Summaries of 109 of those dealing with specific federal institutions have been omitted for a variety of reasons : complainants decided to withdraw their complaints, or the nature of their grievances would have revealed their identity, or the facts reported either dealt with subjects which had already been covered in other summaries or else were not sufficiently important to merit inclusion in this report.

In a number of investigations, merely bringing a fact or situation to the attention of the institution concerned was enough for it to take immediate corrective action. In the other cases of contravention of the Act, the Commissioner had to make recommendations and, occasionally, discuss the terms and conditions of their implementation. As required by the Act, these recommendations were brought to the attention of the Clerk of the Privy Council, who has the authority to take any further action he deems necessary. When it seemed required, the Complaints Service did follow-ups to verify the information supplied by institutions. During the first three years, as a result of complaints received, the Commissioner made a total of 426 recommendations to federal institutions. A few months ago, the Clerk decided that the Treasury Board Secretariat should be kept informed of the Commissioner's recommendations.

In the case of Air Canada, the Complaints Service did not consider it worth while to repeat recommendations already made following investigation of similar complaints, if Air Canada had merely given the same reasons for not observing the requirements of the Act. On occasion, the Complaints Officer found that the best way of settling certain problems was to pass them on to the Special Studies Service, whose role is to examine linguistic situations which are beyond the scope of mere complaints. Some examples are the Royal Canadian Mounted

Police in New Brunswick, the Treasury Board, the Public Service Commission and the Canadian Transport Commission. From a procedural point of view, a complaint concerns a particular case submitted by a member of the public and generally requiring an immediate solution, whereas a special study is undertaken on the Commissioner's initiative with a view to finding systematic and more comprehensive solutions on a long-term basis.

#### *b) The Complainant*

The activities of the Complaints Service are the direct result of decisions by members of the public to bring to the Commissioner's attention actions or situations involving a contravention of the Official Languages Act.

Of the 943 files opened in the fiscal year 1972-73, 666 were for complaints submitted by French-speakers and 277 for complaints by English-speakers (71 and 29 per cent). For the fiscal years 1970-71 and 1971-72, the ratios were 76 to 24 and 79 to 21 per cent respectively. During the last year, therefore, there was a trend towards an increase in the number of complaints from English-speakers. This has been due mainly to the fact that a group of employees of the Department of Manpower and Immigration in Winnipeg and Edmonton submitted more than 100 complaints dealing with the application of departmental directives on bilingualism. As for the French-speakers, their complaints were undoubtedly motivated by a growing frustration over the fact that a statute which had been in force for four years had still not succeeded in guaranteeing federal government services in French, as a matter of course, to a large portion of the Canadian population, or in enabling French-speaking federal employees, particularly those in Quebec, to work in the language of their choice. Although English-speakers sometimes have good reason to complain about a lack of services in English, what they fear above all is that official bilingualism will keep them from the normal pursuit of a career in the public service.

Complaints are being received at an ever-increasing rate, but the total number is still less than it might be, considering the progress made by the federal government in the field of bilingualism. Despite an extensive advertising campaign by the Commissioner, many citizens still appear to be ignorant of the Act's existence or of the procedure to be followed in submitting complaints. Nevertheless, more and more people are reporting to the Commissioner what they feel to be contraventions of the Act. They believe firmly that they are exercising a right given them by Parliament. Obviously, many people neglect to exercise this right, for a variety of reasons. However, it would be unrealistic to suppose that a federal institution deserves a certificate

of excellence simply because the Commissioner has received only a small number of complaints about it. In such a case, the recurrence of similar complaints or the scope of the grievances might well indicate a serious situation.

Cultural associations throughout the country might ask their members to be more on the look-out to bring to the Commissioner's attention any facts or situations which, in their opinion, contravene the Official Languages Act. The Commissioner has increased his efforts to provide information to these associations, especially those which operate on a province-wide scale.

It has been objected that some complaints were unimportant and even "trivial". It should be noted, however, that the public is free to submit any grievances it wishes and that the Commissioner is obliged to examine them; he will then take appropriate action within the limits of the Act. What may appear to be insignificant to the administrator or journalist is often some undoubtedly innocuous situation that exasperates the citizen who refuses to be cynical about it. More disturbing is the considerable length of time it takes some institutions to correct what are basically simple problems. Moreover, because he is aware that a citizen who goes to the trouble of complaining is a person who has a civic sense of exercising his rights, the Commissioner is reluctant to dismiss out of hand those complaints which, when viewed objectively, are admittedly of marginal importance, even though the Act would allow him to do so. In short, provided there is no wide-spread abuse of this open invitation to express one's views, the Commissioner is of the opinion that no complaint is trivial if a single citizen feels it is relevant.

Whatever the nature of the facts reported by the complainant, after obtaining all relevant information from him, the Complaints Service is required to ask the federal institution concerned for its version in as complete detail as possible. The Commissioner cannot make any objective decision before carefully examining the arguments on both sides: any other procedure would be arbitrary and would run counter to a fair interpretation of the Act. Good judgement and caution are needed in deciding whether or not there has been a contravention of the Act. It is also necessary to remain within the limits of the Commissioner's jurisdiction, as set out in the Act. In cases that fall outside his jurisdiction, the Complaints Service tries to provide the correspondent with the information he needs by unofficially approaching the authorities concerned. An examination of the summaries of complaints involving non-federal institutions would reveal many examples of this desire on the part of the Complaints Service to deal effectively with complaints from



members of the general public by acting in the broadest spirit of ombudsmanship—never against the law, it is hoped, but sometimes “beyond” the law.

During the past year, the Complaints Service, like the Commissioner’s secretariat, handled many inquiries which only indirectly concerned the Official Languages Act. These inquiries usually dealt with the availability of language courses to public employees or members of the public, with grants for second-language study, or with discrimination on ethnic grounds. Regarding this last subject, the Service endeavoured to make more people aware of the existence of the Anti-Discrimination Branch of the Public Service Commission, which is responsible for investigating all allegations of discrimination in the public service because of sex, ethnic origin, colour or religion. The Complaints Service also investigated a number of complaints by secretary-stenographers, whose status in the public service constitutes a rather special case.

The Commissioner received a few complaints in connection with Section 38 of the Act, which deals with the legal or customary rights or privileges acquired or enjoyed by languages other than the two official languages either before or after 7 September 1969. For example, a number of ethnic groups wrote to the Commissioner in connection with the CBC’s acquisition of the French-language radio station CKSB in St. Boniface. They claimed that the CBC intended to broadcast only French programmes from the station and asked the Commissioner to intervene so that CKSB might continue to broadcast programmes in other languages. The summary of these complaints may be found in File Nos. 1661, 1662, 1702, 1772 and 1864 in the section on the Canadian Broadcasting Corporation.

The editor of a Russian-language newspaper requested the Commissioner’s assistance in obtaining advertising from the federal and provincial governments, arguing that other newspapers published in languages other than French and English were receiving aid. In the Commissioner’s opinion, this matter did not constitute a contravention of the Act; as there is no central agency responsible for federal advertising, the Commissioner could only advise the editor to approach each federal institution direct.

A correspondent suggested to the Commissioner that the Indian and Eskimo languages be recognized as official languages in Canada. The Commissioner replied that he shared the correspondent’s concern for protecting the cultural and linguistic heritage of the Indians and Eskimos, but drew his attention to the rather “passive” scope of Section 38 of the Official Languages Act.

### *c) The Institution*

The experience of the Complaints Service over the past year has shown that in several cases, certain federal institutions were rather reluctant to provide the Commissioner with adequate information about the progress made by them in the development of bilingualism, particularly when the incidents under investigation concerned regional offices. Not only were there sometimes considerable delays, but the replies often lacked precision. Even though the institutions in question had issued directives regarding bilingualism, staff members in the regions concerned were generally unfamiliar with them. They did not appear to understand that services must be provided to members of the public without their having to insist on being served in the official language of their choice.

As far as the reforms suggested by the Official Languages Act and the administrative arrangements proposed by the Treasury Board and the Public Service Commission are concerned, some see the need for a series of measures to be taken (with a minimum of hardship to individuals) so as to ensure eventually that French is guaranteed equal importance and equal status with English in a public service which, in the past, has been mainly unilingual English. Many unilingual English-speaking public servants have accepted this new direction quite willingly and, in some cases, even with enthusiasm. We must not allow their efforts to be neutralized by the unconscious or deliberate lethargy of a few "mandarins". If the latter feel that there are more important problems to worry about in the running of their institutions, they should realize that, in the final analysis, the question of language is of vital importance to the survival of our country.

The investigation of complaints is increasingly being held up because institutions are tackling the problems posed by Treasury Board directives regarding the identification and designation of bilingual positions. It is important to make a clear distinction between administrative regulations and the provisions of the Official Languages Act. Some agencies have reorganized in order to facilitate implementation of the Treasury Board's programme, but in the process they appear to have reduced contact with the Commissioner's Office. It should be remembered that the Commissioner attaches considerable importance to complete and prompt replies to his inquiries, and to the implementation of his recommendations in as short a time as possible. While the Treasury Board is particularly interested in the language requirements of positions in the public service, the Official Languages Act (Sections 9 and 10) stresses rather the right of members of the public to be

served in the official language of their choice, and reflects Parliament's concern for ensuring the equality of French and English as languages of service and work (Section 2).

The summaries of complaints do not always indicate the many steps the Complaints Service must often take before reaching a solution. In an increasing number of cases, the Complaints Officer now investigates on the spot with a representative of the institution concerned and discusses the settlement of a complaint with regional staff members. This approach often produces favourable results, for it provides an opportunity to make the true purposes of the Act better known. The investigation of certain complex complaints sometimes takes on rather large proportions. In the future, this will be more and more the case with complaints concerning language of work, as it becomes necessary to examine not only the administrative structures and the directives of the institution but also the working environment itself, and even personal attitudes. The reader may find examples of this in the summaries concerning the Auditor General's Office and the departments of National Revenue (Customs and Excise) and the Environment. Other complaints also require lengthy investigation because they involve technical areas such as aviation, scientific research, and meteorology, in all of which custom (and often even safety) has established English as the principal language of work or communication.

Whenever the Complaints Service finds that a complaint is of relatively minor importance, even though there has been a violation of the Act, the Commissioner's Office tries to settle the matter (after sending a notice to the head of the department as required by Section 27) with a phone call or visit. This is done quite informally and is intended to provide the complainant with a reply in the shortest possible time.

#### *d) Evaluation*

Following will be found a series of evaluations of performance, based on the first three years of operation of the Commissioner's Office, and indicating the amount of co-operation received from various federal institutions. The contribution made by the Complaints Service to the evaluations is to a large degree concerned with the amount of co-operation received from the various institutions during the investigation of complaints and later in the implementation of the recommendations made. It was possible in some cases to make objective evaluations, on the basis of documentary evidence, of the "performance" of the institution in question as far as observance of the Act was concerned; in others, however, there was not sufficient conclusive evidence.



## *Breakdown of Complaints*

TABLE 1. Number of Files by Year

	1970-71	1971-72	1972-73
Opened	181	745	943
Closed	115 (64%)	602 (80%)	827 (88%)
Still Active at the End of the Fiscal Year	66 (36%)	143 (20%)	116 (12%)

TABLE 2. Cumulative Total of Files for the First Three Years

Opened	1,869
Closed	1,753*
Still Active	116

\*The 143 files still active at the end of the 1971-72 fiscal year are included in this total.

TABLE 3. Files Opened in 1972-73

Complaints Concerning Specific Federal Institutions	834 (88.4%)
Complaints Not Concerning Specific Federal Institutions	109 (11.6%)
	943 (100%)

TABLE 4. Language of Complainants

	1970-71	1971-72	1972-73
French	137 (76%)	591 (79%)	666 (71%)
English	44 (24%)	154 (21%)	277 (29%)

TABLE 5. Method of Submitting Complaints (1972-73)

By Letter	780 (83%)
By Referral	17 (2%)
In Person	12 (1%)
By Telephone	117 (12%)
Other Means (telegram, newspaper, note, etc.)	17 (2%)
	943 (100%)

TABLE 6. Origin of Complaints (1972-73)

Newfoundland	1	(0.1%)
Prince Edward Island	3	(0.3%)
Nova Scotia	21	(2.2%)
New Brunswick	41	(4.4%)
Quebec	242	(25.7%)
Ontario	418*	(44.3%)
Manitoba	144**	(15.3%)
Saskatchewan	21	(2.2%)
Alberta	32	(3.4%)
British Columbia	15	(1.6%)
Yukon and Northwest Territories	3	(0.3%)
United States	1	(0.1%)
Pakistan	1	(0.1%)
	943	(100%)

\*Complaints originating in the National Capital are included in this total.

\*\*This total includes 108 complaints concerning the designation of bilingual positions in Winnipeg by the Department of Manpower and Immigration.

TABLE 7. Origin of Complaints (Cumulative)

	1970-71	1971-72	1972-73	Total	% of Total
Newfoundland	0	2	1	3	0.2
Prince Edward Island	2	13	3	18	1.0
Nova Scotia	0	12	21	33	1.8
New Brunswick	10	43	41	94	5.0
Quebec	54	167	242	463	24.7
Ontario	73	222	418	713	38.0
Manitoba	12	71	144	227	12.1
Saskatchewan	22	53	21	96	5.1
Alberta	1	131	32	164	8.8
British Columbia	6	20	15	41	2.2
Yukon and Northwest Territories	0	0	3	3	0.2
United States	0	5	1	6	0.2
Pakistan	0	0	1	1	0.1
France	1	2	0	3	0.2
Great Britain	0	1	0	1	0.1
Austria	0	1	0	1	0.1
Chile	0	1	0	1	0.1
Senegal	0	1	0	1	0.1
	181	745	943	1,869	100

TABLE 8. Receipt of Complaints—Distribution by Month (1972-73)

	Number of Complaints Received During Month	Cumulative Total
April	57	57
May	66	123
June	69	192
July	58	250
August	74	324
September	57	381
October	184*	565
November	63	628
December	32	660
January	65	725
February	125	850
March	93	943

\*More than a hundred of these complaints were on the same subject: the designation of bilingual positions in Winnipeg and Edmonton.

### *Complaints Concerning Specific Federal Institutions (1972-73)*

TABLE 9. Language of Complainants

French	607 (73%)
English	227 (27%)
	834 (100%)

TABLE 10. Nature of Complaints Investigated

Language of Work	135 (20%)
Language of Service	539 (80%)
	674* (100%)

\*Thus 81% of the 834 complaints concerning specific federal institutions were investigated in accordance with Section 27 of the Act.

TABLE 11. Federal Institutions Cited in Complaints

	1970-71	1971-72	1972-73	Total
Agriculture	1	3	11	15
Air Canada	13	30	66	109
Atomic Energy of Canada Ltd.	0	0	2	2
Auditor General	0	1	0	1
Bank of Canada	1	1	1	3
Canadian Broadcasting Corporation	4	139	34	177



	1970-71	1971-72	1972-73	Total
Canadian International Development				
Agency	1	1	3	5
Canadian National Railways	8	33	46	87
Canadian Pension Commission	0	1	0	1
Canadian Radio-Television				
Commission	0	2	2	4
Canadian Transport Commission	0	0	3	3
Canadian Wheat Board	0	1	1	2
Central Mortgage and Housing				
Corporation	0	0	7	7
Chief Electoral Officer	0	0	17	17
Commissioner of Official Languages	0	2	2	4
Communications	1	3	13	17
Company of Young Canadians	0	1	0	1
Consumer and Corporate Affairs	0	4	6	10
Economic Council of Canada	0	0	1	1
Energy, Mines and Resources	2	4	4	10
Environment	0	10	15	25
External Affairs	1	15	6	22
Farm Credit Corporation	0	0	2	2
Federal Court	0	0	2	2
Federal Electoral Boundaries				
Commission for Ontario	0	0	1	1
Finance	0	0	2	2
Indian Affairs and Northern				
Development	3	10	14	27
Industry, Trade and Commerce	2	5	4	11
Information Canada	2	6	6	14
Insurance	0	1	2	3
Joint Parliamentary Committee				
on the Constitution	0	2	0	2
Justice	1	2	0	3
Labour	0	0	3	3
Manpower and Immigration	4	20	136	160
Ministers' Offices	1	0	0	1
National Arts Centre	2	0	2	4
National Capital Commission	1	3	8	12
National Defence	11	11	46	68
National Film Board	0	1	2	3
National Harbours Board	0	0	1	1
National Health and Welfare	2	12	17	31
National Library	1	2	1	4
National Museums	2	3	12	17
National Research Council of Canada	2	4	5	11
National Revenue—Customs				
and Excise	6	13	21	40
National Revenue—Taxation	1	21	22	44
Northern Canada Power Commission	0	0	2	2
Northern Transportation Co. Ltd.	0	0	1	1
Parliament	1	10	13	24
Polymer (Polysar)	0	0	2	2
Post Office	6	40	60	106
Privy Council Office	0	1	0	1
Public Archives	0	2	1	3
Public Service Commission	5	25	36	66
Public Works	1	7	15	23

	1970-71	1971-72	1972-73	Total
Regional Economic Expansion	1	4	5	10
Royal Canadian Mint	0	2	3	5
Science Council of Canada	0	0	4	4
Science and Technology	0	0	1	1
Secretary of State	2	19	20	41
Solicitor General				
(1) Royal Canadian Mounted Police	2	7	20	29
(2) Canadian Penitentiary Service	0	9	7	16
(3) National Parole Board	0	2	4	6
Statistics Canada	1	71	13	85
Supply and Services	3	3	14	20
Tax Review Board	0	1	0	1
Transport	5	24	39	68
Treasury Board	1	2	6	9
Unemployment Insurance Commission	2	13	14	29
Urban Affairs	0	0	1	1
Veterans Affairs	2	2	4	8
	105	611	834	1,550

TABLE 12. Complaints Concerning Specific Federal Institutions from Federal Employees (as Federal Employees), Including Members of the Armed Forces and Employees of Crown Corporations

	Total	Investigated	Not Investigated
French-speaking	38 (20%)	28	10
English-speaking	152 (80%)	115	37
	190 (100%)		

TABLE 13. Nature of Complaints Concerning Specific Federal Institutions from Federal Employees

	English-speaking	French-speaking
Language Tests	4	1
Language Courses	13	1
Competitions, nominations, duties, designation of language requirements	124*	17
Working Conditions	11	19
	152	38

\*This total includes more than a hundred complaints on the same subject: the designation of bilingual positions in Winnipeg and Edmonton.

*Complaints Not Concerning Specific Federal Institutions*

TABLE 14. Breakdown by Categories

Bilingualism Policy	18*
Education	15
Members of Parliament	6
Municipal Governments	1
Other Languages	2
Private Enterprise	31
Provinces	21
Public Service Unions and Associations	4
Telephone Companies	11
	109

\*This figure for specific complaints represents only a fraction of the inquiries and comments received by the Commissioner's Office on this subject. The section entitled "The Mail Box" in Chapter II gives a profile of these inquiries and comments.





## Chapter III

### A FRIENDLY READ-OUT

*(The 1974 Academy Awards for the Best, Worst and Most Average Bilingual Performances by All-Canadian Departments and Agencies)*

In previous reports to Parliament the Commissioner conveyed his findings and recommendations from complaints investigations and special studies of federal institutions. Between his appointment on 1 April 1970, and September 1973, he made over one thousand recommendations. His work, which began with making recommendations, is now entering a more decisive part of ombudsmanship: reporting results. No ombudsman, as parliamentary custodian of an Act, wants to indulge in futile posturing; he wants his queries or recommendations to lead to reform. Sometimes departments correct weaknesses merely on hearing from the Commissioner of his intention to investigate. But how reform is taking place, and may be measured, can be learned best by following up on his interventions.

With these ends in view, the Commissioner's Office has been systematically pursuing facts on the fate of recommendations.

In his last report the Commissioner said his Office's follow-up activity is the acid test of whether or not reforms are taking root. Follow-up activity has, in many cases, shown positive results: some institutions took immediate corrective action to implement the Commissioner's recommendations. Too often, however, foot-dragging has continued. In some cases, the institutions' reasons for failing to implement the Commissioner's recommendations seem less than convincing, their excuses reminding one of a needle stuck in a warped record. Parliamentarians and public have a right to be informed on the true pace of reform. Hence, department-by-department evaluation four and a half years after the Act, as plainly and accurately—albeit fallibly—as the Commissioner and his colleagues can make it.

Evaluations in the following pages are made in the light of carefully selected indicators uniformly applied to all federal institutions, whatever their size and nature of business. In choosing criteria the Commissioner recalled that while some institutions had begun implementing the Act after 1969, others started only in 1971 (with the Government Management Objectives: Treasury Board Circular 1971-21). Still others could be called a group of pioneers (Canadian National and Central Mortgage and Housing Corporation, for example, who received honourable mention in the B & B Commission reports). Yet some others claimed to have started using English and French in their business long before the Act came into effect, even before the "Pearson pledge" of April 1966 assuring that no long-term employees would suffer from reform.

In a technical sense, this Annual Report covers only the fiscal year 1972-73. However, to make the document as useful and up-to-date as possible, the Commissioner and his colleagues have tried to incorporate follow-up data received as recently as early 1974. They believe indeed that this attempt to keep pace with actuality, however it stretches a calendar, may, in the end, prove fairer to departments and agencies "evaluated".

Readers will and should ask, against what standards are institutions' performance judged? The Commissioner thinks the architects of the Official Languages Act set out plainly the broad goals against which the performance of federal institutions should be measured. Devotion to the Act's letter, spirit and intent, wedded, one hopes, to common sense and an awareness of human realities, mirrors the Commissioner's approach to assessment; and his recommendations, based on this approach, offer more specific benchmarks. The Commissioner's recommendations claim this calling only because they try to echo constantly and independently Parliament's intent in passing the Act.

Indicators the Commissioner and his staff use focus on well-defined degrees of compliance with the Act, related both to the recommendations' content and to the time taken to implement them. These indicators do not presume to sum up the ultimate in the science of evaluation. But the Commissioner and his colleagues have depended on a reasonable man's approach, common sense, and the simplest and most ancient of all management principles, those of a doubtless at least bilingual Aristotle: "First, have a definite, clear, practical ideal—a goal, an objective. Second, have the necessary means to achieve your ends—wisdom, money, materials and methods. Third, adjust your means to that end." In short, following *The Peter Prescription*, "if you don't know where you're going, you will end up somewhere else."

Information for evaluation has been obtained through follow-up on complaints and special studies by telephone, letters, personal in-



interviews, and on-site visits with agency officials, as well as through questionnaires. Not all these methods apply to all evaluations. In certain cases information provided by federal institutions could be checked out; in others the Commissioner took the institutions' word, which came to him by means of a questionnaire or by other oral or written assurance. (The Commissioner's use of a questionnaire sent to several institutions naturally does not take the place of any special study that he might, in future, suggest for them, or preclude his normal follow-up checks). Usually, this chapter specifies the type of evidence on which the evaluation is based, so that readers may appreciate the various degrees of healthy skepticism the Commissioner, by duty, must bring to bear.

In order to avoid jumping to conclusions, and to report most fully and fairly about federal institutions, the Commissioner wrote twice to nearly all institutions in 1973, and he and his colleagues later made many telephone calls to obtain needed information. But, as the report shows, sometimes all efforts were in vain.

For the convenience of readers, federal institutions are listed alphabetically. Summaries where enough evidence permits evaluation embody, where apt, a fusion of separate assessments by the Commissioner's two operational services, the Complaints Service and the Special Studies Service. For some new studies, where follow-up is to come, the Commissioner merely lists his findings and recommendations—evaluations to follow next year, and every year, till "justice is done" . . .

The reason for fusing the two services' views is to marshal in one place all information related to each federal institution. Thus readers, be they parliamentarians, public servants, general public or journalists, may easily refer to a department or agency they are interested in. Wherever enough known facts allow, a nutshell appraisal of the institution's general performance appears in italics at the outset, followed by specific supporting evidence for specialists and other masochists.

## AGRICULTURE—"Random Harvest"

### EVALUATION

*To produce more fruitful results from its efforts to implement the Official Languages Act, the Department has readily sifted out the causes of complaints identified by the Commissioner. It moved with notable speed to carry out his recommendations for its field office in Moncton. In general, the Department seems to take a serious and systematic approach to making the Act a reality for both the public and its own staff.*

The Commissioner made 10 recommendations to the Department as a result of a special study of the Moncton District Office. Acting on them immediately, the Department had implemented seven recommendations by February, and nine by September, 1973.

The Department reported that the Moncton District Office is now automatically serving its public in both official languages. All new publications are said to be bilingual and all earlier unilingual publications have been discontinued. Correspondence as well as all oral communications are now either in French or in English according to the language of the individual requesting service. Recommendation 9, to the extent it applies to forms, has been acted on but not yet fully implemented. Due to staffing problems and the great number of forms to be revised, the Department had, as of September 1973, only 50 per cent of external forms and only 3.5 per cent of internal forms in bilingual format. Its deadlines for completing the task are March 1974 for the external forms and March 1976 for internal forms. The Commissioner has urged the Department to make every effort, without delay, to find ways of speeding up production of bilingual forms and documents so that the Act's requirements may be met as soon as possible.

The Commissioner investigated nine complaints against the Department of Agriculture, and the Department reacted in a fairly positive manner. Some of the complaints concerned service to the public (unilingual forms, information services, sign and correspondence), others the language of work (working documents from the central administration to public servants in Quebec, language requirements on competition notices, shortage of support staff able to work in French). Following the Commissioner's intervention or recommendations, the Department had the unilingual English-language working documents (circulars) translated into French. The Department also revised the language requirements on competition notices so that the eventual incumbent of the position would be able to help his division provide services in accordance with the Act.

In response to the Commissioner's questionnaire of October 1973, the Department described some activities under its own bilingualism programme which began in 1968. It outlined ten broad objectives concerning service to the public and the use of the two official languages in its internal operations.

The Department reported that its bilingualism programme comprises elements such as testing employees' knowledge of the other official language, language training, retention (a variety of linguistic and cultural activities, use of monitors, encouraging employees to originate work in French and placing English-speaking personnel in French-language units), 13 French-language units and its bicultural

development programme which permits a number of administrators and professionals to work in offices where the other official language predominates.

The bilingualism adviser, working in close collaboration with the Committee on Bilingualism, is in charge of the bilingualism programme. The Committee on Bilingualism is made up of senior officials of the Department and the application of the programme is apparently evaluated every two to three months.

The Department stated that most of its printed matter intended for public use, such as forms, publications and other printed material, is issued in both official languages. Signs, notices, posters and identification plaques, in general, bear the Department's or its different divisions' or branches' identification in the two official languages.

As for materials for internal use, such as forms and manuals, the Department's own objective is to render them bilingual by March 1974 and December 1975 respectively. Job-training courses are on the way to becoming bilingual.

The Department stated that its bilingual capacity is not yet sufficient to provide adequate services in both official languages to the public, but it is set to remedy this deficiency by 1978.

### *SPECIAL STUDY—MONCTON*

The study was conducted with the aim of examining the availability of bilingual services offered to the public by the Department's district office in Moncton. The study focused on the operations of the district office which exercises jurisdiction over the four Atlantic Provinces and deals principally with other government departments and agencies, individual business, professional and technical personnel, as well as with the general public.

The team's findings revealed that the office was to some degree aware of its need for institutional bilingualism but they also pointed to gaps in its attempts to meet that need. Public-contact positions called for ability to work in English or in both languages. Fifty-nine employees had contact with the public and 14 of these were bilingual. An additional five employees possessed a rudimentary knowledge of French. Each of the eight sections in the Moncton Office had some bilingual capability though some had no bilingual support staff. The team noted that, as the public with which the district office deals is, generally speaking, a specialized one, it was probably being adequately served in the two official languages.

The Department faced considerable difficulty in recruiting bilingual and unilingual French-speaking personnel to fill positions as Agricul-



tural Officers. In Canada, only two French-language institutions of higher learning offered programmes of study in agriculture, and their graduates were very much in demand by all levels of government and business. In recruiting technical and clerical staff, the office advertised positions with a specific language requirement in the appropriate language and press. However, positions requiring a knowledge of English were advertised only in the English-language press and those requiring a knowledge of French only in the French-language press. The team noted that this practice could work to the disadvantage of many bilingual people who subscribe to newspapers in one language only.

During the three years preceding the study, nine members of staff from the Moncton District Office had enrolled in French-language courses. In addition, employees were accepted for French-language training at the University of Moncton in September 1972. This still left a waiting list of 20 who could not be accommodated and meant that, given the limited facilities in the Moncton region for language training, the district office would have to make more use of Public Service Commission facilities in Ottawa.

In the visual domain, the Department of Agriculture issued in May 1972 a memorandum directing that visual identification of divisions and branches of the Department appear in both official languages, but the team observed that certain internal informational and directional signs were in English only. Generally, all forms in use with the public were bilingual in varying formats, but a number of publications were not. For instance, the *Atlantic Livestock Market Report*, distributed to both language groups, was published in English only.

Most aspects of public-contact activities conformed with the Official Languages Act. Little correspondence in French was received by the office and each section was able to reply to it appropriately. Telephone identification, however, was carried out in English only, though calls received from a French-speaker were referred to French-speaking personnel when necessary. The Moncton District Office did not make extensive use of the media; usually it did so only in response to specific requests from the media. The office made special efforts to convey press releases, news and programme information, whether issued locally or by headquarters, to the French-language media.

Finally, it should be noted that the office's entire range of bilingual services was not always made available automatically and spontaneously to both language groups in accordance with the equality of status of the two official languages. Service was often provided in English automatically and in French only upon specific request.

The Commissioner recommended that:

- (1) regardless of the language requirement of the job, the Moncton District Office present its vacancies and competitions to the PSC for announcement and advertisement with the stipulation that such vacancies and competitions appear in French and in English on posters and in the English and French language press, so that no portion of the available manpower market be neglected;
- (2) serious consideration be given to recruiting more bilinguals and unilingual French-speakers in the technical and clerical categories for permanent positions in order to make service in both official languages available to the public;
- (3) all signs, external and internal, in areas of public access be rendered correctly in both official languages and installed in the Moncton District Office by 31 December 1972;
- (4) all existing unilingual forms and publications produced either by headquarters or the Moncton District Office and distributed by the Moncton Office for use by the public, be available in both official languages by 31 March 1973 for forms and by 31 December 1973 for publications;
- (5) all future publications and forms directed to the public and used by the Moncton District Office be automatically published in both languages and, whenever possible, under one cover;
- (6) more specifically, the *Atlantic Provinces Weekly Livestock Market Report* issued by the Moncton District Office be produced in both official languages;
- (7) employees answering telephone calls from the public identify the division in both official languages at all times;
- (8) employees answering telephone calls from the public and who are not proficient in the language of the caller—be it English or French—be at least able to inform the caller in the latter's language that the call will be referred to another employee capable of providing the service in the appropriate language;
- (9) the Moncton District Office make a special effort to contact French-language media when locally- or headquarters-initiated press releases, news and/or programme information are issued;
- (10) service to the public be provided automatically in both official languages rather than only on specific request.

## COMPLAINTS

### *File No. 1014—From a Scientist*

A French-speaking scientist with the Department complained of not being able to work in his own language as efficiently as his English-speaking colleagues because the administrative support staff (a secretary and a technician) did not understand French well enough. He also maintained that the lack of interest in botany shown by French-

speaking students was probably due to the small number of French-speaking staff the Public Service Commission employed in this field.

As far as the first part of the complaint was concerned, the Department informed the Commissioner that a competent bilingual stenographer was available at all times to the complainant, and that it had even offered to have his work typed outside. The Department acknowledged, however, that there was no bilingual technician in the section where the complainant worked.

The Commissioner recommended that the Department provide the complainant with administrative support services in French (secretary and technician), comparable to those enjoyed by his English-speaking colleagues.

The Department then indicated that it had considered (even before the complaint had been made) reorganizing its technical and administrative support services to accord with its bilingualism policy and the needs of the Branch. For this purpose, the Branch had been provided with two new positions: a bilingual stenographer and technician.

The Commissioner asked the Department to keep him informed of the results of this staffing programme.

The Department later informed the Commissioner that a French-speaking technician had begun work in early April 1973 and that a bilingual secretary had been employed since 26 June 1973.

The second part of the complaint did not come under the jurisdiction of the Commissioner but was nevertheless brought to the attention of the Public Service Commission. The Commission confirmed that the Department had for some time been studying ways to recruit more French-Canadian scientists. For its part, the Commission was trying to increase the number of French-Canadian scientists in the public service by organizing each year a large recruitment campaign in Quebec universities.

#### *File No. 1040—Signs*

A French-language cultural association reported that both sides of a sign at the entrance to the Fredericton Research Station were in English only.

Investigation of the complaint revealed that the absence of bilingual signs in Fredericton resulted from various misunderstandings as to the application of the provisional guidelines of the Federal Identity Programme.

As a result of a recommendation by the Commissioner, the Department took the necessary steps to have installed as soon as possible either a bilingual sign or one in French which would be placed next to the one in English.



- A departmental employee working in Quebec complained that a competition notice for the post of Director of the Education and Development Division of the Health of Animals Branch in Ottawa only required a knowledge of English. In his opinion, the language requirements should also have included a knowledge of French.

An investigation was made under Section 39 (4) of the Official Languages Act to establish whether or not the Education and Development Division was able to provide adequate service to the public in both official languages.

The first time the Department wrote to the Commissioner, it informed him that the position of Director did not involve any contact with the public and that the Branch, which already had three bilingual employees, was able to carry out its functions in both official languages. The Commissioner then asked the Department for further information, since the competition notice clearly stated that the incumbent would have contact with the public—with professional associations and universities, for example. He also reminded the Department that it had to offer the public comparable services in both official languages. The Commissioner accordingly recommended that the incumbent of the position of Director be either bilingual or at least willing to become so as soon as possible.

The Department then pointed out that, as a general rule, all communication with the University of Montreal and the École de médecine vétérinaire de St-Hyacinthe (St. Hyacinthe School of Veterinary Medicine) was handled by the Regional Office of the Health of Animals Branch in Montreal, which had been designated a French-language Unit. Moreover, when these institutions had to communicate with head office in Ottawa, the assistant director (who was bilingual) would handle the communication. The Department finally agreed with the Commissioner's recommendation and said that it would take it into account when choosing a new director: if the appointee was not already bilingual, he must be willing to become bilingual.

The Commissioner concluded that the Education and Development Division met the requirements of the Official Languages Act as to its ability to serve the public in French or in English, without the necessity of designating the position of Director as bilingual.

- A group of French-speaking members of the staff of a university in the province of Quebec sent the Commissioner a copy of a letter they had written to the Public Service Commission protesting that a poster for a competition for professional librarians for the Department of Agriculture was in English only. A Franco-Manitoban made the same complaint.



The Public Service Commission issued a revised poster. It was bilingual in format but while the English text said that a knowledge of English only was required for the positions advertised, the French version stated that both English and French were required.

A second letter from the complainants raised the question of the language requirements. It pointed out that the duties described seemed to indicate that a knowledge of both official languages should be required, for some positions at least. The Public Service Commission admitted that the revised poster was in error and told the Commissioner that the positions had been re-advertised with a requirement of English only as essential.

The Commissioner then took the matter up with the Department, which explained that there were four positions to be filled: in Charlottetown, Kentville (Nova Scotia), Winnipeg and Ottawa. The incumbents would provide an internal library service to a unilingual English-speaking staff in the first three locations. The library in Ottawa also provided service, to a certain extent, to other organizations and to the public. In Ottawa, however, five out of twenty professional librarians were already bilingual and nine others were enrolled in language training; service to the public and to employees was always provided by bilingual staff in the language of the client's choice.

The Commissioner recommended that:

- 1) the Department review its ability to provide its professional services to the public in accordance with the requirements of the Official Languages Act at the four locations, paying particular attention to Winnipeg;
- 2) in Ottawa, language training should be given to the new head of the Acquisitions Section, in view of the responsibilities described in the poster; and
- 3) the Department should adapt its recruiting methods to attract a larger number of people able to fill positions requiring a knowledge of French, and of French and English. It should organize systematic visits to potential recruiting sources and disseminate information through direct contact. These sources might include French-language universities, colleges and technical schools, and Manpower Centres in areas where French was spoken.

In response to the Commissioner's recommendations, the Department said that it believed it was able to meet the requirements of the Act at the four locations named. It further stated that between 25 and 30 of its employees at Kentville and a number of employees in Charlottetown were starting language courses in December 1972, and

language courses for some of its employees in Winnipeg would begin early in 1973. The new head of the Acquisitions Section in Ottawa was in fact already bilingual. Finally, the Department pointed out that recruiting tours were the responsibility of the Public Service Commission; the Department would welcome a more co-ordinated approach that would help it overcome the problem of recruiting French-speaking personnel.

For its part, the Public Service Commission explained that departments had the responsibility of declaring positions bilingual. Statistics showed that the Commission had succeeded in filling all bilingual positions with bilingual candidates in recent years. Moreover, 80 out of 329 librarians in the LS category were bilingual; at the LS-1 and LS-2 levels, 25 per cent were bilingual. The Commission added that the new Treasury Board guidelines would broaden its field of selection so as to include candidates who were willing to become bilingual.

- The complainant informed the Commissioner that, according to competition notice 72-AGR-0-367 A, a knowledge of both French and English was required for three vacant positions at the CANFARM Regional Office in Ste-Foy, Quebec. Another competition notice, 72-AGR-0-367, for positions to be filled at CANFARM's main office in Guelph, specified English as the only language requirement. Since the Ste-Foy Regional Office reports to the main office in Guelph, the complainant wondered whether or not a knowledge of English was required at the Ste-Foy office simply because the Guelph office was unable to communicate in French. The complainant added that the competition notice also included a vacancy in Saskatoon, for which only English was required.

In its initial reply to the Commissioner's inquiry, the Department said that, after examining the nature of services offered by the incumbents of these positions in Ste-Foy to the English-speaking public (125 farmers, English-language universities, business firms connected with agriculture), it had found it necessary to designate the three positions as bilingual. As for the Guelph office, the Department acknowledged that its bilingual capability was limited.

In view of the Treasury Board's interest in bilingualism, the Commissioner sent the Board a copy of the letter he had written to the Department concerning the complaint.

The Treasury Board pointed out that to require a knowledge of both French and English for the positions in Ste-Foy, but only a knowledge of English for the positions in Guelph and in Saskatoon, was contrary to the public service's principle of equal opportunity. The Board felt that, since the Ste-Foy office was not a main office, it did not seem likely that the services offered to the English-speaking public in

the area would require bilingual incumbents for all three positions. It suggested, therefore, that the Department should designate only one of the positions as bilingual, making the other two unilingual French. The Board stressed that under no circumstances should knowledge of English be made a requirement at the Ste-Foy office in order to facilitate communication with Guelph.

As for the positions in Guelph, the Board stated that the language requirements should be designed to ensure not only services to the public in both official languages but also communication with the Ste-Foy office in French.

After a careful study of this question in the light of Sections 2, 9 (1) and (2), and 39 (4) of the Act, the Commissioner made recommendations to the Department as follows:

1) With regard to the Ste-Foy office, the Commissioner agreed with the Treasury Board's suggestion that one position should be designated as bilingual and the other two as unilingual French.

2) With regard to the Guelph office, the Commissioner recommended that an adequate number of bilingual positions be created to ensure that:

- a) the public would be served in both official languages;
- b) the Ste-Foy office could carry on its communications, and be served, in French; and
- c) training courses would be offered in both official languages.

The Department responded favourably to these suggestions and recommendations; its decisions may be summarized as follows:

1) At Ste-Foy, only the position of Regional Director would be designated as bilingual; the assistant regional director would not be required to be bilingual. The two positions in operations would be designated as unilingual.

2) At the Guelph office, a new position of Head of Regional Offices (to whom regional directors will report) and a position of Training Officer would be designated as bilingual. In addition, the Department intended to see that one employee in operations, one in special projects, and one stenographer would be bilingual. This would give the office a bilingual capability in its three principal regional branches: training, communications and operations. Finally, 40 employees were to begin language training in February 1973.

3) At the Saskatoon office, all personnel were unilingual. However, since the office would be serving a possible bilingual district, the Department wanted to give the office's present employees an opportunity to take language courses.



### *File No. 1301—Forms*

A Franco-Albertan complained that there was no French version of a Grassland Incentive Programme form.

The Commissioner recommended to the Department that it correct this situation, which it did by issuing the form in French.

### *File No. 1593—Interpretation Service*

The complainant criticized the Department for not providing a simultaneous interpretation service during an information seminar for French- and English-speaking veterinarians. He also reproached it with sending participants documentation in English only.

Members of the Commissioner's staff discussed with departmental representatives the formula adopted for seminars and even attended one session. They found that both French-speaking and English-speaking participants expressed themselves freely in their own language and that a bilingual monitor did an excellent job of summarizing the statements made in each language. Nevertheless, the Department was aware that this was an outdated procedure and it believed that simultaneous interpretation would be preferable. It had therefore decided to provide such a service in 1974.

The Department also expressed regret that it had distributed only documentation in English before the conference, and promised to see that this did not happen again.

### *AIR CANADA—"Jonathan Livingston Seagull"*

#### *EVALUATION*

*Air Canada has still not quite got off the ground with the Official Languages Act. In spite of some recent improvements and very promising plans, the corporation's performance in complying with the Act has been fitful and sparing.*

*The Commissioner made 59 recommendations to Air Canada as a result of four special studies by his staff between 1970 and 1972. He also made 37 recommendations after investigating the 109 complaints he received during the last three fiscal years. The recommendations were mainly directed towards actively offering system-wide service in both official languages at all Air Canada premises and on all flights, as the Act's Section 10 (apart from minor and specific exemptions) requires. The recommendations also tried to assure the equal status of both official languages in the corporation's dealings (such as signs, forms, announcements and publications) with the public.*

*Although several recommendations carried deadlines for implementation, few of these were met. Air Canada's response to the recommendations was slow, owing in part to initial reluctance to accept the principle of offering service to the travelling public in both official languages across its system. The corporation has also displayed, until recent months, a lack both of concern and of effort—as evidenced not only by delays and apologetics in answering complaints, but in the very small headquarters staff which top management has been willing to assign to language reform.*

*The nature of complaints received and the airline's reaction to them reveal that, in spite of commendable but too-rare exceptions, service to the public in the official language of its choice is usually haphazard, indeed often non-existent. They disclose further that Air Canada could not with any certainty provide services in French on flights originating or terminating west, north or south of Toronto, because it was possible, as recently as September 1973, for crews to be made up entirely of unilingual English-speaking employees. Even when bilingual flight attendants were on board, service frequently was not offered in French. The corporation's instructions about the need to make announcements and actively to offer services to clients in the language of their choice have not been made effectively clear to most employees. Further, the corporation could not ensure that counter service in French would be available on a regular basis at many locations outside the province of Quebec. As of September 1973, Canada's national airline had little bilingual capability at Sudbury, although 33 per cent of the local population has French as its mother tongue. It had no bilingual staff at Timmins, where more than 40 per cent of the residents are French-speaking. It could not make departure announcements in French at Fredericton, the capital of an officially bilingual province, 35 per cent of whose population has French as its mother tongue.*

*The Commissioner is aware of the difficulties presented by collective agreements between Air Canada and the various unions to which its employees belong, but he believes that management had the responsibility of taking the initiative much earlier in negotiating terms and conditions that would lead to respect for citizens' rights under the Act.*

*As in the past, Air Canada is promising much for the future. As in the past, the Commissioner would prefer action to promises and therefore he too, like many other citizens, will be looking to the future.*

The Commissioner's office obtained the information summarized below in three ways: from a written reply by Air Canada to a specific request for a status report on all recommendations made as a result of special studies carried out up to the end of the 1972-73 fiscal year; from subsequent meetings, correspondence and telephone conversations

with Air Canada personnel to elicit supplementary data; and finally through a follow-up tour of main Canadian airports in October 1973 by members of the Commissioner's staff accompanied by, among others, Air Canada personnel.

### *Ottawa Study*

As a result of this study, the Commissioner made four recommendations in 1970, relating to the bilingual appearance of premises and publicity, the availability of service in both official languages at Air Canada airport counters and ticket offices in Ottawa, and the provisions of bilingual flight announcements.

A follow-up enquiry indicated that by February 1972 the two recommendations relating to the bilingual appearance of premises and publicity appeared to have been almost fully implemented. The follow-up tour of Canadian airports in October 1973 confirmed that signs at Ottawa International Airport were bilingual but revealed that announcements were not always made in both official languages.

In Air Canada's report of 13 June 1973 on the progress in implementing the specific recommendations, all four were described as implemented. The Corporation stated that all unilingual English-speaking personnel in Ottawa received language training in 1972. Because the implementation of the remaining recommendation that flight announcements be made in both official languages raised a union problem at the beginning, Air Canada said that its directive to this effect was withdrawn. Although other steps were subsequently taken, some announcements are still being made in only one language. By mid-December 1973 Air Canada was able to report that its new collective agreement with CALEA\* would allow it to have staff available to make flight announcements in both official languages.

### *London and Paris Airports Study*

Two locations abroad, London and Paris, were the subject of a special study to ascertain Air Canada's compliance with the Official Languages Act in locations outside Canada. Four recommendations were made to Air Canada in January 1972 as a result of this study. Two of them related to visual aspects of service to the public (signs and printed material) and were to be implemented by 1 June 1972. Another called for immediate steps to be taken to ensure provision of bilingual

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\* Canadian Air Line Employees' Association



service at London's Heathrow Airport, and the fourth required that telephone identification and listing in London and Paris be in both official languages.

Only one recommendation, that concerning bilingual signs and inscriptions in these two locations, was said by Air Canada to have been fully implemented. Air Canada excepted from the recommendation on bilingual printed matter, advertising and promotional material directed to, and designed for, the local market. Such material would be only in the language of that market.

Air Canada had given language training to some passenger agents at London's Heathrow Airport. In late December 1973 it reported that at Heathrow Terminal Building "services in both languages are available upon request".

The fourth recommendation—that callers be greeted in two official languages—was not being implemented, although the airline stated reservations could be made in either language in both London and Paris.

### *Moncton Study*

Seventeen recommendations were made to Air Canada on 25 September 1972 as a result of this study. These recommendations covered the principle of ensuring equality of status of the two official languages, the need for bilingual service to the public, the staff required to provide that service, the visual aspects at Air Canada premises, and the encouragement needed by public-contact staff to take second-language training. Fifteen of the recommendations were due to be implemented either immediately or by 31 December 1972; the Corporation met the deadlines for nine. By 30 September 1973, 11 of the recommendations had been implemented. These included the need for corporation directives outlining staff responsibility under the Official Languages Act, a bilingual capacity in management, assurance of adequate service in both official languages at the Moncton Sales and District offices, the inclusion of a bilingualism clause in contracts for services and the need for forms, brochures, advertisements, contracts, and other printed material to be bilingual or available in both official languages. Of the remaining six recommendations, four were partly implemented. Concerning two dealing with telephone identification and referral of calls, Air Canada informed the Commissioner that its telephone greetings were "alingual" and "phrase books are being developed" to assist its personnel in handling referrals. The previously mentioned tour of airports in Canada indicated that Air Canada signs at Moncton Airport were bilingual. The airline planned to bring out new bilingual badges in the summer of 1974.

## *Headquarters Study*

As stated in his *Second Annual Report, 1971-1972*, the Commissioner made 34 recommendations to Air Canada in May 1972. These related to recruitment, language training, ground and in-flight personnel, public relations, forms, advertisements, correspondence, other printed materials, telephone identification and information, airport and in-flight announcements and service, monitoring of language reform, and other matters.

In following up these points, as recently as January 1974, the Commissioner's staff found that four recommendations were implemented, four were mostly implemented, 12 were well on the way to implementation, eight were in the initial stages of implementation, one indicating minor progress, two resulting in little or no significant action and three remaining untouched.

The four shown as implemented covered immediate action on the Commissioner's recommendations without waiting further for policy development by the company. These also included placing high priority on meeting the requirements of the Act across the airline's system, accepting the existence of demand for service in both official languages, by the travelling public across the system and accessibility by the airline personnel to language training under conditions most conducive to good results. The four mostly implemented ones dealt with tapping all available sources of bilingual recruits, entrusting primary responsibility for implementing the Act to senior officers in the Regions and Districts, rendering bilingual the few remaining unilingual public-use forms, and maintaining close liaison with the unions in carrying out the Commissioner's recommendations. Indeed, both the corporation and CALEA and CALFA (passenger agents' and flight attendants' unions respectively) state they have reached agreements containing provisions which will facilitate compliance with the Act.

The 12 recommendations well on the way to implementation touched upon language training, testing and related facilities, translation services, public relations, signs, inscriptions and similar material, and the determination of the airline's institutional requirement for bilingual staff in public-contact positions. Considerable work remained to be done to carry the 14 other recommendations into effect.

By 30 September 1973, recommendations covering the visual aspects of bilingualism such as forms for public use, stamps, signs and inscriptions, had been complied with almost completely. On the other hand, oral aspects of bilingualism, such as automatic service, airport and in-flight announcements and service, and telephone identification and communication, still left much to be desired. The follow-up tour of Canadian airports revealed that Air Canada's signs in several air-

ports were still unilingual and that announcements made by Air Canada were frequently unilingual.

On the question of hiring and language training, Air Canada had, as of September 1973, established bilingual requirements (numbers and levels) for public-contact employees, and language training courses for ground and flight personnel had begun. According to the corporation's plans, "some 1,400 employees across the system would be undertaking language courses in either French or English during 1974 . . ." To encourage participation, courses are given, particularly in the case of public-contact employees, on Air Canada's time and at its expense. The airline volunteered the information that:

"On matters related to translation and terminology, translation services have been and will continue to be expanded by providing field stations with translators beginning January 1974. Telex services would be available for urgent translations in spring 1974. Two terminology manuals were prepared and distributed to employees. The first, 'Vocabulaire Air Canada Vocabulary', contains English/French and French/English equivalents of most common airline terms. The second, 'Signs/Écritureaux—Stamps/Tampons', contains a repertoire of all signs or stamps, temporary or permanent, that may be required by the various field locations. Also, illustrated terminology posters have been prepared and will be distributed to employees in January 1974."

The corporation stated further that, "Guidelines developed by Air Canada, currently under discussion with its regional and district personnel, include measures designed to facilitate implementation of the recommendations. These measures include a systematic monitoring system" to ensure that service in both official languages was actually being provided.

### *SPECIAL STUDY—MONCTON DISTRICT*

The Office of the Commissioner undertook this study with a view to determining to what extent Air Canada, in serving the general and travelling public in Moncton, was in compliance with the Official Languages Act.

The study team's findings touched on four principal domains: directives, oral communications, written communications, and personnel. The team discovered that two Air Canada directives had been received by the Moncton District Office regarding the official languages, one explaining Sections 9 and 10 of the Act and specifying the employee categories to which each section applies, the other, issued only to management, restating the corporation's general policy on bilingualism. Neither dealt with the practical problems that can occur when the appropriate provisions of the Official Languages Act are put into effect.



With regard to direct oral communications with the public, the team learned that none of the five senior officers of the district office, who to a greater or lesser degree had contact with the public, was bilingual.

Two employees, one of whom was bilingual, served the general and travelling public at the sales counter but bilingual service was neither offered at all times—for example in the absence of the bilingual incumbent—nor was it spontaneous. At the airport, seven of the eight customer service officers were bilingual. On the other hand, none of the three Air Freight employees was bilingual, although they had contact with the corporation's customers.

Telephone contacts with the public were an important activity. The study team was informed that, between 29 May and 4 June 1972, the Reservations Office received 2,576 calls, of which 108 were in French. The corporation identified itself in both official languages and though, occasionally, bilingual telephone service was not provided in the Reservations Office, the corporation had installed a system whereby the Reservations Office could transfer calls to the airport where bilingual service was always available. At the airport, public announcements were made in both languages and clients were paged in the language of the person requesting paging. Both arrangements were entirely in keeping with the requirements of the Act.

As for printed matter and signs, the team learned that 40 of the 45 forms used by members of the public were bilingual. Of 86 advertising brochures examined, 30 were in French and 55 in English; only one was printed in both languages. Folders containing information on air and road freight transportation were in English only. Date stamps and calling cards were not bilingual. Although bilingual material for advertising displays was available, the team found that the district office used English-language material only. Signs and inscriptions in the District Sales Office were in both official languages, though a few at the airport were unilingual.

Two contractual agreements were worth noting: one between the district office and a trucking company which received and delivered merchandise for the corporation thus entailing numerous contacts with the citizens of Moncton, the other with an insurance company providing for the sale of insurance policies to the corporation's customers. Neither contract stipulated that the company in question had to provide service in both official languages and the contracts themselves were available in one language only.

Recruitment and transfers together with language training constitute the principal means by which federal institutions can increase their bilingual capability. Air Canada was rather limited in the extent to which it could control the recruitment of staff; collective agreements

between the corporation and the employees' unions restricted initiative in this regard. At the time of the study, the Moncton Office seemed to be taking little advantage of language training programmes. With the exception of the District Manager, none of the employees of the office was scheduled to take second-language training during 1972-73.

The Commissioner made 17 recommendations to the corporation for improving the quality of its bilingual services at Moncton and reducing the number of situations that might trigger complaints. The Commissioner recommended that:

(1) between now and 31 December 1972, the corporation send the Moncton District Office a set of directives on the practical obligations that fall on the personnel as a result of the implementation of the Official Languages Act;

(2) the corporation, without endangering the job security of present incumbents, appoint to the management of the Moncton District Office a person capable of carrying out his duties in both of Canada's official languages;

(3) the corporation take immediate steps to ensure that the Moncton Sales Office is capable of serving the public in both of Canada's official languages at all times;

(4) between now and 31 December 1972, the corporation make sure that the staff of the Moncton District Office use both of Canada's official languages spontaneously when initiating contact with a customer, and, when necessary, be capable of establishing such contact in the official language of the customer;

(5) the corporation, without endangering the job security of the present employees in Air Freight, take the necessary steps to ensure that between now and 31 December 1973, Air Freight can serve the public at the Moncton Airport in both of Canada's official languages;

(6) the corporation take immediate steps to ensure that the Moncton District staff identify their office in both of Canada's official languages when answering the telephone;

(7) between now and 31 December 1972, the unilingual staff of the Moncton District Office who have telephone contacts with the public acquire the capability of informing—by means of a few set phrases—callers of the other language group that their call will be handled by another employee;

(8) all the corporation's forms which are likely to be seen by the public and used by the Moncton District Office be available in both of Canada's official languages by 30 September 1972, and that they respect the equal status of the two languages;

(9) by 31 December, 1972, the Moncton District Office offer the public at all times a comparable number of brochures and advertising folders in both of Canada's official languages;

(10) all timetables, lists of fares and other printed information of a similar nature published by Air Canada and distributed to users of the corporation's services by the Moncton District Office be made available in both of Canada's official languages by 31 December 1972;

- (11) by 31 December, 1972, all visiting cards, date stamps and other stationery items used by the Moncton District Office be available in both of Canada's official languages, with both English and French on the same item;
- (12) all signs, notices and badges used by the Moncton District Office which can be seen by the public, be, by 31 December, 1972, in both of Canada's official languages;
- (13) the Moncton District Office, henceforth, respect the equality of status of Canada's two official languages when using advertising displays;
- (14) all contracts drawn up by Air Canada which are made between the corporation and the private sector and which concern services provided by the Moncton District Office be made available in both of Canada's official languages by 31 December, 1972;
- (15) the corporation add to all contracts under which companies or individuals agree to provide services for Air Canada in Moncton, a clause requiring the other party to provide its services in both of Canada's official languages; this addition should be made when such agreements are tacitly or formally renewed or when new contracts are drawn up;
- (16) the corporation immediately ask the insurance company, whose policies it sells through its Moncton District Sales Office, to provide it with policies written in both of Canada's official languages, preferably with both English and French in the same document;
- (17) the corporation encourage, as soon as possible, the staff of the Moncton District Office who are, in some way, in contact with the public, to take second-language training, for example, by allowing them to take courses during working hours, at the corporation's expense, or by providing effective incentives which would motivate them to take courses outside working hours.

COMPLAINTS

1. *Service to the Public*

a) *Lack of French-Language Service on Flights*

The Commissioner received a number of complaints concerning lack of service in French by flight attendants, lack of French reading material on board, and public announcements by pilots and flight attendants in English only.

<i>Flight</i>	<i>File No.</i>	<i>Subject</i>
Montreal-Ottawa	954, 1309, 1345	Attendant service and reading material
Saskatoon-Winnipeg-Saskatoon	976, 1148	Public announcements
Toronto-Regina	1056	Attendant service



<i>Flight</i>	<i>File No.</i>	<i>Subject</i>
Toronto-Winnipeg	1162, 1196	Attendant service and public announcements
A section of flight 633 (Halifax-Ottawa)	1186	Public announcements
Chicago-Toronto	1265	Attendant service, public announcements and reading material
Regina-Winnipeg-Regina	1303	Attendant service and public announcements
Toronto-Sudbury	1670	Reading material
Sept-Îles-Montreal	1026	Reading material
Montreal-Regina	1501	Attendant service, public announcements, baggage claim tracer forms
Miami-Montreal	982	Public announcements in flight and at Miami
Ottawa-Winnipeg	848	Attendant service
Montreal-Halifax	1034	Public announcements
Fredericton	1423	Reading material
Flights not specified	1612, 1247	Instructions on salt packets and match booklets

### *1) Montreal-Ottawa*

In the first case, Air Canada apologized to the complainant and explained that the unilingual hostess should have called on a bilingual colleague for assistance in French in accordance with company policy. As a result of the complaint, Air Canada had cautioned the personnel involved.

In the second, Air Canada said that the complainant had spoken such impeccable English that the hostess did not think it necessary to ask for assistance from the bilingual hostess on the flight.

The Commissioner told Air Canada that he found it difficult to understand why its directives to personnel were not complied with and he recommended that Air Canada serve the public on flights between Ottawa and Montreal in both official languages.

In the third case, Air Canada explained that flight delays had held up the bilingual hostesses who were scheduled for duty and they were replaced at short notice by unilingual English-speaking attendants.

## 2) *Saskatoon-Winnipeg-Saskatoon*

In the first case, on the east- and westbound flights, there were bilingual attendants on board but they were not called on to make announcements in French as they should have been.

In the second case, there were no bilingual personnel on the east-bound flight. Air Canada said it did not have sufficient bilingual personnel at present for it to make sure that at least one member of the aircrew was always bilingual, which was what it hoped to achieve eventually. However, the proportion of bilingual personnel at Air Canada's three western bases was increasing.

## 3) *Toronto-Regina*

Three of the six crew members were bilingual; the unilingual attendants should have obtained help from a bilingual colleague.

## 4) *Toronto-Winnipeg*

The number of bilingual personnel at Air Canada's Toronto base was insufficient to ensure that all flights had bilingual personnel on board. It was, however, Air Canada's aim to have at least one bilingual attendant on board whenever possible.

## 5) *A section of flight 633 (Halifax-Ottawa)*

There were bilingual attendants on board but apparently they forgot to translate the pilot's observations. Air Canada pointed out that this journey consisted of a series of short flights lasting an hour or so. The hostesses were usually very busy serving meals and attending to passengers and might sometimes not remember to translate.

## 6) *Chicago-Toronto*

Air Canada said that two of the four daily flights, at the time of the complaint, carried a crew with bilingual capability; the others had crews from the Toronto base who had little or no French. Since 30 September 1972, at least 50 per cent of the crew of all regular flights on this route was bilingual. All reading material was provided by Toronto and Montreal sources in a proportion established according to the linguistic needs of Air Canada passengers. The Company said it would review its requirements in this matter.

7) *Regina-Winnipeg-Regina*

Air Canada admitted it had no bilingual personnel on this short-distance flight and on others particularly in predominantly English-speaking parts of the country. It added that it was striving to develop a fully bilingual service on all its flights.

8) *Toronto-Sudbury*

Newspapers were put on board at the beginning of the flight. This flight originated in Toronto where there was no French-language daily newspaper; consequently, the only newspapers on board were in English. The problem of magazines was a temporary one as the distribution agency which supplied Air Canada was unable at the time to provide the required quantity of magazines in either language.

9) *Sept-Îles-Montreal*

The Viscount aircraft which usually made this trip had been replaced that day by a DC-9 and for unaccountable reasons the usual quota of French-language literature had not been put on board. The personnel involved had been told to be more careful.

10) *Montreal-Regina*

Bilingual attendants were on board this flight, but their services were not used, as they should have been, to translate announcements and attend to the needs of French-speakers. The personnel involved had been reminded of their obligation to provide service in the official languages of the passengers.

Air Canada said that its baggage claim tracer forms were bilingual and sent one to the Commissioner.

11) *Miami-Montreal*

All personnel on the flight were bilingual and all public announcements during the flight had been made in both official languages. Air Canada admitted that no announcements had been made in French at Miami Airport and apologized.

12) *Winnipeg-Ottawa-Winnipeg*

There was a bilingual hostess on the Winnipeg-Ottawa flight who should have realized that she had to offer service in French without having to be asked. There was, however, no bilingual hostess on the return flight. Air Canada blamed this on collective agreements which restricted its freedom to assign staff to particular flights.



### 13) *Montreal-Halifax*

There was no announcement in French explaining why the plane could not land at Halifax. French-speaking passengers could not understand what was happening and, as a result, some became considerably distressed. Air Canada reminded the flight personnel concerned of the need to make all in-flight announcements in both official languages and offered its apologies to the French-speaking passengers.

### 14) *Fredericton*

It was decided to double the number of copies of *L'Évangéline* on each flight.

### 15) *Flights not specified*

Air Canada told the Commissioner that as soon as stocks of match booklets and salt packets were exhausted they would be replaced by new ones with bilingual instructions.

### *b) Lack of Adequate English-Language Service in Flight*

*File No. 948*

A complainant from North Bay, Ontario, alleged that on Air Canada flights between Canada and the United States, English announcements were very often made by French-speaking stewardesses in broken English. She considered this insulting to English-speaking persons.

Air Canada told the Commissioner that its policy was that the flight attendants with the greatest fluency in the languages should make the announcements. In some cases, however, all flight attendants on a particular flight might have French as their first language but at least one of them should be able to speak English sufficiently clearly to handle the announcements.

Air Canada was giving language training in both official languages at its training school and at its bases, and was also providing financial assistance to encourage its flight attendants to reach a high degree of fluency in both English and French.

### *c) Lack of French-Language Service at Airport Counters*

<i>Airport</i>	<i>File No.</i>
Ottawa	840, 1324, 1631, 1666, 1683
Toronto	1258, 1285

<i>Airport</i>	<i>File No.</i>
Timmins	1288
Vancouver	1427
Sudbury	1857
Gander	1072
Winnipeg	1194

### *1) Ottawa*

Several French-speaking complainants said they had been treated at the Ottawa Airport in a discourteous manner by counter personnel who made no attempt to call on their French-speaking colleagues for assistance. The members of the staff involved could not be identified and the chief of service issued a collective reprimand. Air Canada assured the Commissioner that its personnel had been instructed many times to provide impeccable service to the public in both official languages. It explained to the French-speaker who had been paged over the public address system in English, in spite of his unmistakably French name, that presumably no bilingual person had been available during the peak hour at which the event took place.

### *2) Toronto*

One incident involved a Belgian visitor who had missed her connection to Sudbury because her flight had been delayed in Montreal. No one at the Air Canada counter could explain the situation to her in French and finally, after about an hour, Air France personnel were called on to translate. When she continued her journey next day there was no French service on the Toronto-Sudbury flight.

The Commissioner recommended that there should always be a bilingual capability at Air Canada's counter at Toronto International Airport to serve the travelling public in both official languages at all times, in accordance with Section 10 (1) of the Official Languages Act. He further recommended that Air Canada take action to provide bilingual service on Toronto-Sudbury-Toronto flights and that, if there were problems as a result of union contracts, it should try to work out solutions with union representatives.

### *3) Timmins*

The company admitted that it had no bilingual capability at Timmins. At first it said this could not be altered owing to binding union contracts but later it agreed to seek a solution with the unions. The flight

information board was to be changed so that details would be shown in both English and French and there would be recorded announcements in French about flight departures.

The Commissioner recommended to Air Canada that its flight information boards at all airports be in both official languages and that bilingual service be offered at Timmins as soon as it was possible to reach a solution acceptable to the union. Air Canada told the Commissioner that it had already instructed its six regional directors to have all notice boards and signs made bilingual by December 1972. It reported that good progress had been made; signs at all airports and city ticket offices, except at Vancouver and Regina, were already in both official languages.

#### 4) *Vancouver, Sudbury, Gander and Winnipeg*

Air Canada claimed that it had varying degrees of bilingual capability at Sudbury, Gander and Winnipeg. It was redeploying its bilingual staff at Vancouver so that it would be in positions serving the public.

#### d) *Lack of French-Language Flight Departure Announcements*

<i>Airport</i>	<i>File No.</i>
Sudbury	1172
Halifax	1034, 1329
Regina	1509
Fredericton	1423

#### 1) *Sudbury*

A bilingual flight board was installed at the airport. Air Canada said public announcements would be made in both official languages as far as possible, but a bilingual passenger agent was not always available.

#### 2) *Halifax*

Air Canada expected to be able to make announcements in both languages by 1 November 1972. Some bilingual staff had been hired and it was hoped that more would shortly be available. The use of pre-recorded announcements was being considered.

#### 3) *Regina*

The airport had a bilingual capability and public announcements should have been in both languages.



#### 4) *Fredericton*

Air Canada said that collective agreements with the union prevented it from hiring or transferring staff to provide a bilingual capability at the airport. It was looking into the possibility of having a bilingual flight information board.

#### *e) Lack of French-Language Signs*

*File Nos. 1275, 1339, 1589, 1634, 1595*

The Commissioner received several complaints about unilingual English signs in Air Canada's DC-9 aircraft indicating where passengers could hang their coats, and so forth. One complainant objected to the sign showing where galley refuse was to be disposed of.

There was also criticism of a unilingual English sign at Sudbury Airport telling customers to ring the bell for service, and of notices in North Bay and Toronto giving business hours of Air Canada offices in English, and information also in English only on how to obtain service after hours.

Air Canada pointed out that some of the signs in aircraft were there for its employees, not the public. It would have all signs intended for the public put in both official languages. The signs complained of in Sudbury, North Bay and Toronto had already been made bilingual.

#### *f) Lack of French-Language Telephone Service*

<i>City</i>	<i>File No.</i>
Sydney, N.S.	814
Sudbury	853
Edmonton	1053
Ottawa	1263

Air Canada gave the Commissioner the following reasons for failing to provide adequate service in French:

#### *1) Sydney*

Only two of the eight reservation clerks were bilingual. Air Canada could not therefore provide bilingual service at all times.

## 2) *Sudbury*

Air Canada said that it had bilingual personnel who should have been called on by their colleagues to provide service in French.

## 3) *Edmonton*

Although there were two bilingual employees, they had finished their shift just before the complainant called.

## 4) *Ottawa*

There was bilingual staff available but Air Canada hoped to recruit more. Unilingual English-speakers should have asked bilingual colleagues for assistance in serving customers in French.

## *g) Lack of French-Language Correspondence*

### *File Nos. 980, 1001*

- A French-speaking complainant alleged that he had received letters in English from a bank and a debt-collection agency which were acting on behalf of Air Canada. Air Canada said that, after receiving the complaint, it had instructed both agents to correspond in French with its French-speaking customers.

The Commissioner reminded Air Canada that all services offered to the travelling public, either by itself or by those under contract to it, must be in both official languages.

- A French-speaking person from Toronto complained that he had received Air Canada publicity brochures with a covering letter written in English.

The letter and brochures had been sent to credit card customers to announce the new Rapidair service between Toronto and Montreal. From the standpoint of preferred language, Air Canada's mailing list for the Toronto area was not entirely reliable. The Corporation explained that before 1968 the application form for an Air Canada/Canadian National credit card had not asked the customer to state the language in which he wished to be served.

Air Canada sent the Commissioner brochures in French and a form on which the complainant was asked to record his language preference. The Commissioner forwarded these with Air Canada's explanation and apologies to the complainant.

#### *h) Advertising*

*File Nos. 556, 1540*

- A Franco-Manitoban sent the Commissioner a photocopy of an advertisement published by Air Canada and claimed that this advertisement had appeared in Winnipeg's English-language newspapers only. According to him, one had to subscribe to an English-language newspaper in order to keep informed about the activities of government agencies. This, he believed, constituted discrimination against French-speaking people living in Manitoba.

Air Canada informed the Commissioner that it was then preparing publicity campaigns directed to French-speaking people outside Quebec which were distinct from those aimed at the English-speaking public: the text of the advertisements would be specifically designed for French-speaking readers and would not be translations or adaptations of English material. As was only fitting, local French advertising media would be used.

When the Commissioner followed this up, however, he found that no Air Canada advertisement had appeared in the French weeklies in the West. Air Canada said that there had been unforeseen delays but advertisements would appear in the French weeklies, starting 15 November 1973.

- A complainant drew the Commissioner's attention to the poor quality of French in an announcement for a meeting of the Canadian Association of Sport Sciences in Vancouver. He also criticized a unilingual English sign wishing members an enjoyable convention.

Air Canada explained to the Commissioner that the Professional Travel Consultants agency in Toronto was responsible for publishing the text in question, which had already been written before Air Canada was named official carrier for the convention. Air Canada had been assured that a French version of the text had been written in Montreal, but, unfortunately, its officials had not checked the translation.

The Commissioner suggested that Air Canada check all texts published by travel agencies, etc., which are using the company's name, to make sure they meet the requirements of the Official Languages Act. He contacted the owner of Professional Travel Consultants, who then wrote to the complainant.

#### *i) Lack of French Language in Forms*

*File Nos. 1106, 1114, 1116, 1313, 1646*

- There was criticism of a unilingual English form for sales reports which was distributed by Air Canada to travel agencies.



The company admitted that the form was in English only but said a bilingual form would shortly be published.

- A French-speaking complainant alleged that, at the Ottawa Airport, Air Canada used a unilingual English form for internal administrative purposes.

The company said that a bilingual form had existed for several months, and sent a sample to the Commissioner. It had instructed its vice-president (Eastern Region) to use only the bilingual version throughout the region and to return any unilingual English forms to head office for use in areas of the country where only English was required. When these unilingual supplies were exhausted they would be replaced by the bilingual form in all Air Canada offices.

Air Canada added that its policy was to have all forms, directives and manuals (except for highly technical manuals) bilingual as soon as possible. Documents and forms used by staff serving the public were to have priority.

- A French-speaking person who travelled frequently with Air Canada complained that a form he had seen posted at a plane's entrance was in English only. Since it was plainly visible to all passengers, he thought it should be bilingual.

Air Canada pointed out that it was making many of its internal forms bilingual, particularly those affecting the employees' welfare and those used for interdepartmental communications, throughout its organization. At that time, however, no provision had been made to render bilingual the forms used for maintenance or flight operations, which was the case of the form in question.

The Commissioner asked Air Canada to explain why these forms were not to be shortly available in both official languages. The company replied that it had begun a three-phase survey of all written material used, or referred to, by its employees in 1972. The second phase was near completion and the third one, dealing with a detailed inventory of airport maintenance and computer technology, would make available as soon as possible a bilingual format for employees' daily reference material.

The complainant was informed accordingly.

## *2. Personnel Problems*

### *File No. 977—Job Transfer*

A letter was received from the Fair Employment Practices Branch of the federal Department of Labour concerning a complaint by an

English-speaking Air Canada stewardess whose husband, a pilot with Air Canada, was obliged to transfer from Winnipeg and chose Montreal with a view to furthering his career. Under company policy, the stewardess was not allowed to transfer to the Montreal base, and she felt she was being discriminated against. She had been flying in and out of, and staying over in, Montreal for a number of years. According to the complainant, the policy that only bilingual hostesses could be based at Montreal was an unwritten rule that was not to be found in any manual or document. Furthermore, some unilingual English-speaking stewardesses were based in Montreal as they were already there when the new policy was established.

The Commissioner told the Fair Employment Practices Branch that as long as Air Canada had taken due account of Section 39 (4) of the Official Languages Act, dealing with the appointment and promotion of personnel whose positions include duties relating to the provision of services to the public, there was no contravention of the Official Languages Act. It was the Commissioner's opinion that the stewardess' complaint arose from a decision by Air Canada that was of an administrative nature.

#### *File No. 1295—Competition*

A unilingual English-speaking employee at Ottawa wrote to protest Air Canada's refusal to consider his application for the position of Sales Agent because the job was designated as bilingual.

The Commissioner advised the complainant that the designation of bilingual positions within the corporation was Air Canada's prerogative and that he could only intervene if the result of such designation led, in his opinion, to a contravention under the Act. He sympathized however with the correspondent's situation and wrote to the company in an unofficial capacity to express his concern.

Air Canada informed the Commissioner that the position in question had been designated as one requiring a bilingual incumbent but that it had been considered as temporary and subject to abolition due to budgetary constraints. In fact, the position had already been abolished and no longer existed. The corporation added that its policy concerning promotion to a position designated as bilingual was quite clear: any unilingual employee could apply and be considered on the same basis as a bilingual employee, provided he agreed to acquire the language knowledge the position called for within a given time. In the case in question, a bilingual employee had been hired on the basis of merit and aptitude.

The Commissioner informed the complainant of Air Canada's explanation.

*File Nos. 1038, 1699—Conditions of Work*

- A French-speaking employee sent the Commissioner a copy of a letter he had written to his union director asking what the company's policy was concerning the use of the French language in its Montreal offices, in view of the Official Languages Act. However he did not wish to make a formal complaint.

Subsequently he informed the Commissioner that Air Canada had issued in mid-June 1972 a policy paper on bilingualism and that since September some progress had been made. Nevertheless, he believed the slowness to implement the policy was unjustifiable, particularly with regard to training and the publication of bulletins explaining the air fares.

- An English-speaking employee in Ottawa wanted to know if the company could transfer its personnel as it wished in order to deploy its English-speaking and French-speaking members to better advantage so it could serve the public in both official languages more efficiently.

The Commissioner replied that the Official Languages Act dealt principally with language of service to the public on the part of all the institutions and organizations of the Parliament and Government of Canada, including Crown corporations such as Air Canada. He pointed out that his responsibility, as defined in the Act, was to make sure that service to the public was provided in both official languages by those institutions, but he did not instruct them how to achieve that goal.

He added that there was no infraction of the Official Languages Act in Air Canada's procedure, but if the complainant believed the company was exceeding the terms of its union contract, he could have recourse to his union representative.

*File No. 1147—Language of Work*

A French-speaking worker in the Alexis Nihon Plaza reservation bureau in Montreal complained about the lack of the use of French in directives, forms and communications from his supervisor, and in the training courses given. He claimed he frequently had to work in English because some personnel were unilingual English-speakers, both at the Plaza and at Air Canada Headquarters at Place Ville-Marie, Montreal. In addition, the union contract with the corporation was in English only.

Air Canada explained to the Commissioner that all directives for employees at Alexis Nihon Plaza, at city ticket-offices and at the airport would be issued in both official languages. Certain very technical terms, particularly in relation to Reservec II, would continue to be given only in English until French technical terminology had been standardized. All forms would eventually be translated and many had already been. All correspondence with an employee would be in the



official language of the employee and an employee had the right to use the official language of his choice in communicating with his local or regional administration. The union collective agreement would be translated as soon as possible.

Air Canada's explanation was transmitted to the correspondent who wrote again to ask for details on certain points. He wanted to know when the translation of all forms would be completed and whether the present union contract would be translated or just the new one which was to come into effect around August 1973. He asked if training courses would be given in the official language of the employee and if unilingual English-speaking staff would receive basic French-language courses so that they could reply to simple French queries with a few courteous and useful phrases. He wondered if the company's cheque stubs would eventually be bilingual as were the stubs of federal government pay cheques.

Air Canada replied that the fusion of the language services of Air Canada and CN had suffered a delay but that this joint service would be ready to function by the end of April 1973. This would greatly improve the translation facilities of both organizations. The company believed it was not worth while, for various reasons, to translate the present collective agreement with the union, but it would translate the new one due in August. Ninety per cent of training courses given in Montreal were given in French, but certain unilingual English-speaking personnel from other parts of the Eastern Region came to Montreal for some courses, which were necessarily given in English. All unilingual employees in Montreal and Ottawa had had a minimum of 120 hours of French-language training to familiarize them with the language. The Finance Service of Air Canada had studied the question of pay cheque stubs and found there were technical difficulties because of the size and shape of the cheque form in relation to the computer and the large number of deduction codes. The question was still under consideration and Air Canada requested a sample of a federal government pay cheque.

The vice-president (Finance) of the corporation then telephoned to point out how costly it would be to make the changes necessary to make the cheques bilingual. He wondered if the Commissioner might support a request to Treasury Board for additional funds to make the changes.

The Commissioner said he would discuss the matter at a projected meeting with the Chairman of the Board of Air Canada. At a subsequent meeting between the Commissioner and the Chairman, at which many questions related to bilingualism were discussed, the Commissioner made it clear he would not involve himself in internal financial matters of the company.

The complainant was advised of the developments up to the time of the meeting.

Some months later, and after several other meetings, Air Canada advised the Commissioner that the pay cheque stubs would be issued in bilingual format as of 1 January 1974.

## ATOMIC ENERGY OF CANADA LIMITED

### COMPLAINTS

#### *File No. 1323—Parking Lots and Vehicles*

A French-language cultural association reported to the Commissioner that there were two unilingual English signs in the corporation's parking lots at South March in the suburbs of Ottawa and that one of its trucks was apparently identified only in English.

Investigation revealed that one of the signs had been erected at the request of a contractor and would be removed when work was completed. The other sign was replaced by a bilingual one.

The corporation informed the Commissioner that its policy was to have French identification on one side of its trucks and English on the other. The truck in question had been damaged in an accident. For reasons of economy, it had been put back into service temporarily without the French inscription. The corporation said that since the truck was not used to serve the public, it did not intend to recondition it.

The Commissioner concurred in this decision, but recommended that the corporation make sure in future that all signs and other identification were in both official languages.

#### *File No. 1587—Stationery*

A French-speaking person complained that he had received printed material from Atomic Energy of Canada Limited in an envelope bearing a return address in English only. He could not understand why, as everything else on the envelope was in both French and English.

The corporation admitted its error, which it attributed to an oversight at the time of printing. Envelopes in stock would be immediately overprinted to make the return address bilingual.

The Commissioner was pleased to learn of the decision to have the envelopes overprinted and asked for one to be sent to him. He also observed that the stationery the corporation used when it wrote to him had a letterhead in English only and that the envelope, although different in size and style from the one originally complained of, bore a unilingual

return address. The Commissioner therefore suggested that the corporation should make a thorough inventory of its stationery, including envelopes, to ensure that all of it complied fully with the provisions of the Official Languages Act.

Atomic Energy of Canada Limited sent the Commissioner a copy of the overprinted envelope as he had requested and informed him that the other envelope with a unilingual return address had been withdrawn from use. The corporation said it was carrying out an inventory of envelopes and other stationery. It already had some stationery with a bilingual letterhead but was reluctant to order new supplies until the question of whether or not the corporation was to adopt the Federal Identity Programme's format had been finally settled.

## AUDITOR GENERAL

### COMPLAINT

#### *File No. 497—Language of Work—Follow-up*

The Commissioner has already explained on page 144 of his *Second Annual Report* the nature of this complaint, the gist of which is that it is impossible to work in French in the Auditor General's Office.

The comments of the Auditor General on this complaint and the first stages of the Commissioner's investigation were also reported in the *Second Annual Report*.

In the spring of 1972, however, the Commissioner was informed by the complainant that, although Audit Office Bulletins were then bilingual, many other instructions and directives as well as personnel services were still being provided in English only. It was also alleged that there was no change in the field of language of work in the Auditor General's Office and that all reports had to be done, as in the past, in English. According to the information received by the Commissioner, no instructions had been issued in the above-mentioned Office altering the practice.

Under the circumstances, the Commissioner recommended to the Auditor General that:

- 1) all instructions and directives to employees, and all personnel services be provided in both official languages;
- 2) instructions be given which would allow employees, whenever practicable, to prepare internal memoranda, analyses, reports and similar written material in the official language of their choice; and



3) in order to offer more opportunities to members of the staff of the Auditor General's Office to work in French, a formal invitation be extended to all federal institutions to submit their accounts for inspection in French, if they so desire.

At the beginning of October 1973, the Auditor General sent the Commissioner the following progress report on the implementation of the above-mentioned recommendations:

#### *Recommendation 1*

All instructions and directives, which were interpreted to include audit programmes and questionnaires, were being reviewed and brought up to date with a view to issuing them in bilingual form. A number of audit programmes and questionnaires were in hand for translation, after which they would be issued in bilingual form. A bilingual capability had been developed in administration and personnel services and was available on request to all employees.

#### *Recommendation 2*

The Office had not yet issued formal instructions to all employees concerning language of work. However, at the Montreal Office, where the officer in charge was bilingual, for the past year all internal memoranda had been in French. It had not been found possible to extend this practice immediately to audit working papers, but in 1973-74, employees in the Montreal Office had been given the option of preparing working papers in either official language for Crown corporations and agencies with headquarters in Montreal or Quebec City, the files of which were kept in that Office. The Auditor General hoped to extend this practice in the near future to audit assignments carried out by the Montreal Office that were an integral part of the work of his Office in Ottawa; he also hoped to extend the practice to the work of his Office in Ottawa.

#### *Recommendation 3*

The Department had not yet extended formal invitations to federal institutions, which so desired, to submit their accounts for inspection in French, since they did have this option. Where accounts were maintained in French, the Office endeavoured to assign bilingual employees to the audit. This matter would be the subject of further study as the Office proceeded with the implementation of the government's Official Languages Policy.

## BANK OF CANADA

### COMPLAINT

#### *File No. 970—Meeting of the Montreal Bond Traders' Association*

A French-speaking Montrealer told the Commissioner that the Bank of Canada's representatives had refrained from voting on a resolution that he had presented to a meeting of the Montreal Bond Traders' Association which would have required the composition of the executive to be truly bilingual and bicultural. He felt the Bank of Canada's representatives should have supported what he claimed was government policy, and he asserted that by their lack of support they had influenced others to vote against his resolution.

Although private organizations do not come within the Commissioner's jurisdiction and the Bank of Canada's representatives are merely "honorary" members of the association, having no voting rights, the Commissioner nevertheless unofficially informed the Governor of the Bank of Canada of the situation.

The Governor of the Bank confirmed that the Bank's three representatives were "honorary" members, even though the Bank paid the regular annual fee for membership. He said that it would be quite inadmissible for honorary members to vote upon substantive matters such as the rules and regulations of the Association, its membership, or its executive. Apart from two occasions in past years, the Bank's representatives had always abstained from voting and the Governor had been assured that abstention would continue to be the practice.

The Commissioner passed this information to the complainant.

## CANADA COUNCIL

### SUMMARY

In December 1973, the Council stated that 86 per cent of its staff was bilingual, and adequate for serving its public in the two official languages. But it expected to increase its bilingual strength (counting positions designated unilingual) to 96 per cent by 1978.

Replying to the Commissioner's questionnaire, the Council stated that since its creation in 1957 it has tried to practice bilingualism with its clients as well as within. By the time the Act came into effect it had apparently made much "progress in this regard over most of the federal departments and agencies". The Council claimed to have continued along the same lines since. It does not have a formal programme to assure bilingual service; bilingualism is a "way of life", for the Council.

The Council added that it was intensifying its "bilingualisation" efforts. The Secretary-Treasurer and the Assistant Director of the Council were stated to be responsible for implementing the Act. Within its administration, the Council said, English is used more than French because of the numerical preponderance of English-speakers also because many French-speakers work in English by force of habit. Official communications internally, however, are stated to be done in both official languages. Simultaneous translation is available at meetings.

The Council's publications, such as programmes, reports and press releases, are reported to be bilingual or they are published simultaneously in two separate versions.

The Council indicated that its branches and sections function in the two official languages, and that manuals are bilingual. Employees can work in the language of their choice because most of the supervisors are, according to the Council, bilingual.

## CANADIAN BROADCASTING CORPORATION—"How to Succeed in Business Without Really Trying"

### EVALUATION

*Over the first three years, the Commissioner received 177 complaints, 75 of which dealt with the lack of television programmes in French in the St-Paul-Bonnyville-Lac La Biche area. Considering the special nature of many of the complaints and the funds available at its disposal, the Corporation's general co-operation with regard to complaints was good.*

Several complaints dealt with the lack of radio or television programmes especially in French, in various regions of Canada. The Commissioner recalled in his *Second Annual Report* that in February 1972 the government envisaged the establishment of a five-year plan to make radio and television services in their own language available to all English- and French-speaking communities of over 500 people. In March 1972, the Corporation estimated that there were more than 300 communities with at least 500 inhabitants that were still not receiving broadcasts in their official language.

In accordance with the wishes of the government, the Corporation prepared an accelerated coverage expansion programme containing all priorities and costs, for providing service to isolated communities. This plan was developed in consultation with other agencies, such as the Secretary of State Department, Treasury Board, the Department of Communications and the Canadian Radio-Television Commission. On 14 February 1974, the Secretary of State announced that the government



had just approved the plan, and set aside \$50-million for its implementation over five years. The Commissioner was happy to hear this news and hoped that the Corporation will be able to carry out its programme on schedule.

A number of complaints from Winnipeg concerned broadcasting of programmes in foreign languages on the government network. It was on this occasion that the CBC made public its language policy. Although it is in accordance with the Official Languages Act and the Broadcasting Act, the Commissioner expressed the opinion that it should be less rigid and should allow broadcasting in certain cases of a limited number of programmes in foreign languages. He suggested that the CBC and the government reconsider this question, which is of vital importance to the various ethnic groups in Canada.

The other complaints about the Corporation were quite diverse (unilingual notices, lack of telephone service in French, documents in English sent to French speakers, and so on). In all these cases, the Corporation endeavoured to correct the situation as soon as possible following the Commissioner's intervention.

On 15 October 1973, the Commissioner sent a questionnaire on the application of the Official Languages Act to the CBC and to 19 other federal institutions. In its reply on 22 January 1974 the CBC revealed the state of bilingualism in its five major administrative sectors: Head Office, French Services Division, English Services Division, Ottawa Area and finally the special divisions responsible for the International Service, Northern and Armed Forces Services, external relations and the overseas offices.

In short, according to the Corporation institutional bilingualism in four of its major sectors is good. The English Services Division is apparently experiencing some problems in complying generally with the provisions of the Official Languages Act. The Corporation stated, however, that it intends to develop several programmes in the near future to enable this Division to overcome the obstacles. The CBC informed the Commissioner also that it had taken several measures so that in the Toronto area the English Services Division will be able to provide service to the public in both official languages.

## COMPLAINTS

### *1. Radio and TV Stations*

#### *File Nos. 819, 820—Newfoundland*

In March 1972, two English-speaking complainants told the Commissioner that they believed that French-language radio was needed in

Newfoundland to supplement the teaching of French in schools since students have little opportunity to hear the language outside the classroom.

In May, the CBC informed the Commissioner that its low-power relay transmitter at Labrador City provided French network radio service to Labrador City and Wabush. The CBC planned to file an application with the Canadian Radio-Television Commission (CRTC) early in 1973 to obtain permission to bring the power up to 1,000 watts, which would extend coverage beyond the range of the present 40-watt low-power relay transmitters.

The CBC also said it expected to file an application for an FM rebroadcasting station at Port-au-Port to serve the Stephenville-Lourdes area of Newfoundland, which it hoped the CRTC would consider at one of its hearings in the fall of 1972. The Commissioner was later informed that this matter could not be examined until December 1973.

The CBC's accelerated coverage plans included provision for a French-language radio station in St. John's as well. Since the list of priorities had not been determined, the CBC was unable to predict with any degree of certainty when the St. John's project would be undertaken.

#### *File No. 796—Prince Edward Island*

A complainant deplored the fact that in Charlottetown it was practically impossible to pick up French-language radio and television programmes broadcast from Moncton.

In May 1972, the CBC informed the Commissioner that its long-term plans included the creation of French-language radio and television stations in each of the provincial capitals. These stations would then serve as distribution centres for regional news and public affairs programmes likely to be of interest to other regions within these provinces.

The CBC added that it was implementing this plan as fast as funds permitted, taking into account also the size of the population to be served. It also pointed out that its accelerated plan for expansion of services, which was announced by the government in the Speech from the Throne on 17 February 1972, called for the creation of a French-language radio and television station in Charlottetown.

In October 1973, the CBC told the Commissioner that it was not able to provide further details on the matter as the Cabinet had not yet taken a decision.

#### *File Nos. 719, 1236—New Brunswick*

- An English-speaking correspondent complained about the mispronunciation of French names by English-speaking announcers on CBC television programmes. He felt it was an insult to the French-speaking population of Moncton.

The CBC explained that it requires all announcers, even those who are unilingual, to pronounce in an acceptable manner commonly used place-names and family names that are in another language, and particularly those in the other official language. Announcers are encouraged to consult their supervisors or any other reliable source of information in doubtful cases. The director of the Moncton station had been told of the complaint and his attention drawn to the need for assistance on the part of some announcers.

- A complainant wondered why CBC French-language programmes broadcast from Moncton did not reach French-speaking residents in northern New Brunswick.

The CBC informed the Commissioner that on 25 November 1971 it had asked the CRTC for authorization to set up a broadcasting transmitter in Neguac which would enable the population of north-eastern New Brunswick to pick up the French-language programmes broadcast from Moncton. At the public hearing in Kingston on 19 June 1972, the CRTC heard the CBC's request; on 20 July 1973, it decided to undertake a study of the question.

The CBC added that for three years it had been giving special attention to the extension of French-language television in the Maritime provinces. In New Brunswick, the French television programming could be received by 92 per cent of the French-speaking audience, but the affiliated stations in Rimouski and Carleton reached only half the population. The transmitter in Neguac would make it possible to serve a population which had so far been without French-language television broadcasts.

#### *File Nos. 943, 1660—Quebec*

- An English-speaking correspondent from Black Cape in Bonaventure County told the Commissioner that many people on the Gaspé coast cannot get news on the radio in English about local and Quebec provincial affairs.

On investigation, the Commissioner found that the CBC has two low-powered relay stations at Gaspé and Murdochville which carry its English-language radio network programmes. It plans to replace the present Gaspé relay station by a relatively high-powered one as soon as funds permit. Privately-owned stations in Campbellton and Bathurst provide English programming, although it is directed more to New Brunswick audiences.

These facts did not establish a contravention of the Official Languages Act.

- A French-speaking member of an organization in which both linguistic groups were represented deplored the fact that the CBC had not



provided English-language radio and television broadcasts in the Trois-Rivières area.

The CBC informed the Commissioner that its expansion plans for the Canadian network included the establishment of English-language radio and television stations in this area. It pointed out, however, that the plan had to be submitted to the Corporation's Board of Directors first before it could be sent to the Department of the Secretary of State, which was to present it to the Cabinet. It was impossible for it to say at this stage what priority would be given to these two projects.

*File Nos. 744, 931, 1035, 973, 987, 1684—Ontario*

- A correspondent complained of the lack of radio and television programmes in French in the Fort Frances-Dryden-Kenora area. She pointed out that the French-speaking people of the region as well as a number of English-speaking people learning French would like to receive such services.

The CBC informed the Commissioner that this matter had been examined in studies on the regional extension of the CBC network in the Prairies. It was decided to plan for radio and television stations to be set up in Kenora and Dryden to relay French programmes from Winnipeg. However, there was no such plan for Fort Frances.

The CBC added that it could not provide the Commissioner with the dates when these stations would go into service because the study on priorities for extension of the network for the whole of Canada was not yet finished.

- Some French-speakers complained about the lack of information programmes about northern Ontario on French television in Sudbury.

In its reply to the Commissioner, the CBC said it was aware of the need to broadcast more local and regional news in the Sudbury area. One of its long-range objectives was to regionalize radio and television services to reflect the activities of each particular region better. It stressed, however, that this could only be done as fast as funds became available and in accordance with certain priorities.

The CBC added that the establishment of a French-language television station in Toronto was a good illustration of its effort to regionalize. From the beginning, this station had not been intended to broadcast only to the local public, but to serve also as a master station for all French network retransmitters in Ontario, making available to them news of special interest to French-speaking audiences. At the time of the Corporation's reply to the Commissioner, CBC's engineers were studying the technical aspects of the new French-language tele-

vision stations that it planned to install in Kitchener, London, Chatham, Windsor, Espanola and Chapleau. In accordance with an accelerated broadcasting plan announced by the government in the Speech from the Throne on 17 February 1972, the Corporation was also planning French television stations for Geraldton, Penetanguishene, Kingston-Belleville and Thunder Bay.

The above list gives an idea of the scope of the CBC's plans for extending its French television services in Ontario. The Corporation pointed out, however, that these plans could not be accomplished within a year but had to be spread over several years, because it had at the same time to meet other needs arising from the extension of services in both official languages on a national scale.

The Corporation regretted that it was not able to be more specific at the moment. It stressed that all its plans would have to be assigned an order of priority which would take into account the funds available.

- A number of French-speaking and English-speaking residents deplored the lack of French television programmes in the Penetanguishene area. In order to remedy this situation, they suggested that the CBC install a television relay transmitter in Parry Sound as soon as possible, from which broadcasts from the French station at Sturgeon Falls could be retransmitted.

The CBC informed the Commissioner that its goals had not changed: a television retransmitter for French broadcasts would be put into service in 1975 and a current study was to set priorities within the Corporation's accelerated broadcasting plan. The date of the retransmitter's entry into service might even be advanced. However, the CBC added that it had to stick to the date of 1975 until it received the recommendations of the study and could change its goals.

It was too soon to fix the location of the retransmitter and no decision had yet been made. However, the Corporation assured the Commissioner that its engineers would select the location with great care so as to ensure that the public, especially in Penetanguishene, got the best possible reception.

- A French-speaking resident of Espanola stated that the citizens of that region had been promised French television for four years. She wanted to know when they would receive service from the French television station in North Bay.

The CBC informed the Commissioner that on 16 January 1973 the CRTC had authorized the establishment of a French television station in the Espanola area. It hoped that the station would be ready to broadcast by about mid-November 1973.

Various ethnic groups informed the Commissioner of the CBC's decision to acquire French radio station CKSB in St. Boniface. They claimed that the CBC intended to use this station to broadcast exclusively in French and asked the Commissioner to intervene so that CKSB could continue to broadcast programmes in other languages.

The CBC informed the Commissioner of its language policy which can be summed up as follows:

1) When national broadcasting was first introduced, the Corporation applied a policy of broadcasting in English and French. As its services were expanded to the North (the Yukon and Northwest Territories), it modified its initial policy slightly and authorized broadcasting in Indian and Eskimo languages.

2) Broadcasting in other languages is confined to Radio Canada International, whose programmes are relayed by some private stations serving various ethnic groups.

3) The Broadcasting Act clearly specifies the priorities which the Corporation must follow to carry out the wishes of Parliament. The development of a service in English and French is one of these priorities. There are a number of places across the country where such service in English and French is non-existent or in need of improvement. It is the CBC's responsibility to remedy this.

4) The CBC must meet the needs of various regions. As its services in the North expand, it cannot meet the special needs of this region without providing service in local languages. Although this has been undertaken, no one is completely satisfied with the way things are. Besides, in order to play its role fully in other regions, the CBC still has much to do.

5) On 29 January 1973, during a re-examination of the CBC's language policy occasioned by the CKSB affair, the CBC's Board of Directors gave consideration to all these problems.

6) The CBC's limited financial resources do not permit it to create services in new languages until it has accomplished the missions assigned to it by Parliament. Any other policy would result in the deterioration of present service.

7) While it is of the opinion that broadcasting in new languages cannot be considered, the CBC believes that Canada's various cultures should be reflected more in its regular programming.

8) One of the current objectives of the CBC is the improvement of its regional services. There is a close relationship between regional and



ethnic programming. This factor alone guarantees increased interest in the cultural contribution of ethnic groups, and the CBC will consider this matter carefully.

9) It believes that the national broadcasting service in its present form is not adaptable to multilingualism. The best solution to the problem would be for the ethnic groups to continue their efforts to obtain broadcast time on private stations. For its part, the CBC would assume its primary obligation to develop national services in English and French, while attempting to improve the multicultural content of these services.

10) Broadcasts from Canada's numerous ethnic groups would enrich the CBC's present services. It plans to explore the possibility of this type of programming.

On 19 February 1973, two representatives of the Office of the Commissioner attended the CRTC's public hearing on this matter as observers. The Commissioner afterwards obtained from the CRTC a copy of the reports submitted to it as well as the transcript of the testimony. An examination of these documents revealed the following:

1) CKSB had been broadcasting in foreign languages for more than 20 years.

2) The ethnic groups were asking for six and a half hours broadcast time per week (about one hour per ethnic group) on this station.

3) Most of the broadcasts in foreign languages were made by volunteers, and the various ethnic groups were apparently ready to defray the expenses of such broadcasts. They were asking the CBC only for a little time on the air.

4) Broadcasts in foreign languages, according to representatives of the ethnic groups, provided a service to immigrants who did not understand English or French and helped them integrate more smoothly into Canadian life.

5) The Société franco-manitobaine did not oppose multiculturalism or the principle of ethnic groups having some broadcasts in their languages. However, it did not want this to be entirely at the expense of French-speaking programming; in its opinion, the English network as well as the French network should broadcast some programmes in foreign languages; it also believed that English private radio stations should help to solve this problem.

6) The Corporation's language policy was based on the Broadcasting Act, Section 3 of which stipulates that "all Canadians are entitled to broadcasting service in English and French as public funds become available", and that the national broadcasting service should "be in

English and French, serving the special needs of geographic regions, and actively contributing to the flow and exchange of cultural and regional information and entertainment". That was a priority of the Corporation, although it did not mean that the CBC was forbidden to broadcast in other languages.

Even though, in his opinion, there was no violation of Section 38 of the Official Languages Act in this case—because the Corporation was not relying on that Act but on the Broadcasting Act—the Commissioner decided to express his point of view on the question. He asked the CBC to reconsider its language policy and, if possible, to permit its French and English radio stations in Winnipeg to broadcast some weekly programmes in foreign languages. The Commissioner felt, in fact, that most of these broadcasts should be made on one of the CBC's English radio stations rather than on the only French radio station. If private AM radio stations in Winnipeg were to agree to broadcast some of these programmes, the CBC's responsibility in this regard would of course be lessened.

On 29 March 1973, the CRTC announced that it had authorized the purchase of station CKSB by the CBC, and stated the following with regard to broadcasts in foreign languages:

At the public hearing at which this application was heard, there were a number of interventions protesting the proposed discontinuance of certain programmes which CKSB has carried for many years, produced for the benefit of citizens of the following language groups: Ukrainian, Polish, German, Portuguese, Jewish and Italian. The CBC has informed the Commission that, in view of this long-standing practice, broadcast time will continue to be made available on a similar basis to any of these groups desiring it, for a period of twelve months, in order to provide sufficient time for those groups which have not already done so to make other suitable arrangements for their programming in the Winnipeg area. The Commission considers this to be a reasonable and equitable proposal.

The CBC later informed the Commissioner that the extension of one year granted to the ethnic groups concerned must not be considered as a change in policy but merely as a short-term arrangement. It also informed the Commissioner that it could not follow his suggestion and change its policy in the matter of broadcasting in foreign languages. However, it said that it would re-examine its position in the light of any new policy the federal government might adopt.

*File Nos. 727, 1508, 1525, 1555, 1686—Saskatchewan*

- A French-speaking person complained about the lack of French television programmes in Saskatoon and northern Saskatchewan.

The Corporation informed the Commissioner that its English-language television stations in Moose Jaw, Regina and Saskatoon broad-

cast about three and a half hours of French-language programmes weekly for the French-speaking people of these cities. This service would be provided until the CBC was able to open French-language TV stations in these places.

The CBC added that it intended to apply to the CRTC for authorization to establish a French-language television station at Regina/Moose Jaw, and one in Saskatoon. It hoped that the CRTC would be able to put these applications on the agenda of a public hearing at the beginning of the fall of 1972, so that the Corporation could begin broadcasting as early in 1973 as possible. The CBC also intended to submit an application in 1973 for authorization to establish a French-language television station in Prince Albert.

It further envisaged other French-language television stations at Radville, Montmartre, Willow Bunch, Ponteix, North Battleford, Arborfield and Meadow Lake.

Although the complaint referred solely to television, the CBC also provided the Commissioner with information concerning the extension of its French-language radio services in Saskatchewan. It hoped to set up French-language radio stations in Regina, Saskatoon and Meadow Lake, and was negotiating the acquisition of CFRG Gravelbourg. It could not, however, give the dates on which these stations would go into operation.

In October 1973, the Corporation informed the Commissioner that it would apply to the CRTC before the end of 1973 for authorization to establish a French-language radio station at Regina/Moose Jaw. A similar application for French television in this region should be submitted in the fall of 1974. Finally, the CBC pointed out that the establishment of French-language television stations in Saskatoon and Prince Albert, and of a French-language radio station in Prince Albert, was called for under its accelerated extension plan, but that, since the project had not yet been approved by the Cabinet, the Corporation could give no further details on this matter.

- A French-speaking resident complained about the lack of French-language television programmes in the St. Louis region. She also deplored the fact that Canadians, especially those who are denied access to the Corporation's French television programmes, are not able even to hear the French portions of politicians' speeches on the English television network. She cited as examples the press conferences of Messrs. Trudeau and Lewis of 1 November 1972 where all the French questions and answers were translated into English on the English network.

The CBC informed the Commissioner that it would submit to the CRTC some time in 1972 an application for authorization to establish a French-language television station in Prince Albert. Regarding the



question of the translation of interviews on English-language programmes, the Corporation pointed out that the function of its English services was to serve their English-language listeners in their language. According to the CBC, it was essential that the entire message broadcast be understood, particularly in the case of communications of national interest. It added that there was not yet any satisfactory system for providing subtitles in the other language for live programmes.

- Several organizations protested, for cultural and economic reasons, against the CBC's moving its newly-acquired French-language radio station CFRG Gravelbourg to Regina, as part of the reorganization of the Corporation's production facilities.

After examining the question, the Commissioner concluded that this was a purely administrative matter, and in his opinion, it did not contravene the Official Languages Act.

#### *File Nos. 974, 998—Alberta*

- A complainant wrote to the Commissioner about the discontinuation of French broadcasting on CBC Channel 5 in Edmonton as a result of the strike by NABET union members. She enclosed in her complaint a letter from a technician who claimed that the Corporation could have broadcast some French programmes if it had shown a little imagination.

The Commissioner replied that the situation as reported did not, in his opinion, constitute a contravention of the Official Languages Act. He believed that, in cases of strike action, changes in or discontinuation of broadcasting for technical reasons or to serve management or union interests did not contravene the spirit and letter of the Act.

- A French-speaker complained of the lack of French television programmes in the Peace River region.

The Commissioner forwarded to the complainant the information on this matter contained on page 152 of his *Second Annual Report*. In October 1973, the Corporation informed the Commissioner that it had submitted an application on 9 July 1973 to the CRTC for the establishment of a television retransmitter in Falher, which would serve the Peace River region.

#### *File No. 1278—British Columbia*

A French-speaker stated that a number of people in the Chilliwack region were opposed to the CBC's plan to establish a French-language FM radio station in Chilliwack. He asked the Commissioner to intervene with the federal authorities in favour of the project.

The Corporation pointed out that it had submitted an application on this matter to the CRTC at the beginning of 1972. The CRTC said

it would place this application on the agenda of the public hearing to be held in Edmonton in October 1972. However, in September the Corporation had found that the proposal was provoking strong reactions in Chilliwack. Furthermore, according to the CBC, people had maintained that its English-language radio service in the Chilliwack region was inadequate. The CBC had therefore decided that it should look into both these questions before its application relating to an FM station was heard. The Corporation on 22 September 1972 asked the CRTC to postpone the hearing of the application.

The Commissioner expressed the opinion that, since there were several English-language radio stations in this region and no French-language stations, the Corporation ought to do all in its power to extend its French-language radio service to this region as soon as possible and improve its English services later if this was required. The Corporation wrote to the CRTC on 8 December 1972 to communicate the results of its study, and to request that its application again be placed on the agenda of a forthcoming public hearing. The hearing was held in June 1973, and the application was approved the following month. The CBC hoped that the new station would begin operation in December 1973.

## 2. *Miscellaneous*

### *File No. 557—Advertising*

A French-speaking person from Manitoba felt that the Corporation's French services in Winnipeg did not advertise enough in *La Liberté*. He noted that this weekly published CBC press releases and television programme schedules, but thought that the number of advertisements was insufficient to provide Franco-Manitobans with the full information on these programmes in their language. He hoped that in regions where there were no French-language daily newspapers, federal organizations would advertise in the French-language weeklies.

The Corporation stated that its interest in the French culture in Western Canada, and more especially in the Winnipeg region, was well known. It added that it was quite familiar with *La Liberté*, and that it had often worked with that weekly. In fact, it had just signed a contract with the newspaper for the insertion of advertisements.

### *File No. 688—Language Training*

Two English-speaking senior television technicians in Ottawa told the Commissioner they had been unable to obtain French-language training and were suffering loss of income as a result. They explained

that it was the producer of a programme who decided which technicians were to work with him. Because an increasing number of French-speaking producers were insisting on having French-speaking or bilingual technicians, unilingual English-speaking ones were now getting less work and consequently earning less money. To correct this, the technicians wanted total-immersion courses in French which would qualify them to work on French as well as English programmes. They said they believed that the CBC would save in the long run by being able to cut out costly duplication of staff. The Commissioner agreed to take the matter up with the CBC.

The CBC told the Commissioner that it was making a detailed study of the linguistic requirements of every position in the Ottawa area. The result of the study would form the basis of future decisions.

In the meantime, the technicians' union, NABET, went on strike. The CBC then informed the Commissioner that its study dealt exclusively with positions; matching people with the linguistic requirements of the positions would take considerably longer. The CBC felt that it should tell its own staff what it intended to do rather than pass the information through a third party.

The Commissioner told the complainants what the CBC had replied. Changes in the CBC's top management and the settlement of the strike had considerably altered the picture. The Commissioner believed that things were moving in the right direction.

#### *File No. 715—An Eskimo in Montreal*

An English-speaking woman complained about the attitudes of French-speaking Montrealers concerning language and alleged that the CBC switchboard operators disconnected her calls when she spoke English. She explained that her husband, an Eskimo, worked for the CBC, having been transferred to Montreal from the Northwest Territories. He was told by the technicians at work that they were to speak only French, which made his job very unpleasant.

She also claimed that there was no sign in English in the new CBC building in Montreal and that folders distributed throughout the building were all in French. She reminded the Commissioner that Mr. Diefenbaker had publicly stated that he had not seen any English signs when he visited the building.

The Commissioner offered to forward the complaint about the linguistic attitudes of French-speaking Montrealers to the Commissioner of Languages for Quebec but did not receive the authorization he requested from the correspondent. He took up the other matters with the CBC.

The CBC replied that all telephone employees in the Montreal office were bilingual and had earned a reputation for politeness and



helpfulness. The complainant's was the first such charge it had received, and it refused to believe that anyone who could not converse in French had deliberately been disconnected.

The difficulties the complainant's husband was having at work appeared to be a question of relations between employees, which was something beyond the control of management. On the other hand, they might have been connected with a labour dispute at that time, in which the union wished to press its demand for a bilingualism bonus.

Most directional signs in the building consisted of graphics rather than words. In a few cases, where space did not permit more than one language, the language of the overwhelming majority of the occupants was used, for example "sortie", or "3ème". Apart from this, the building had at least as many bilingual signs as other CBC buildings across the country. The folders intended for visitors to the building were bilingual.

The Commissioner passed the CBC's explanations on to the complainant.

#### *File Nos. 968, 1744, 1794—Visual Aspects*

- A French-speaking person stated that the sign on the Corporation's building at Belle-Côte, in Inverness County, Nova Scotia, was in English only.

The CBC informed the Commissioner that the unilingual sign had been removed and replaced by a bilingual one.

- Two French-speaking Ottawans said that they had received from the CBC some T4A-1972 forms on which the Corporation's name and address were written in English only.

The Corporation admitted that the complaint was justified, but pointed out that this was the first time the sheets had been printed by computer. The error had been corrected at the end of February 1973, but by then all the forms had already been distributed. The Corporation assured the Commissioner that corrective measures had been taken to prevent recurrence of this irregularity.

According to the Commissioner, the Corporation's name and address ought to appear in both official languages, or else in English on forms for English-speaking employees and in French on those for French-speaking employees. The Commissioner asked the CBC to consider this in issuing documents of this type.

#### *File No. 1768—"Chez Hélène"*

An English-speaking person deplored the discontinuation of the programme "Chez Hélène" on the English television network. It was,

she said, the only bilingual programme that taught the rudiments of French to English-speaking children. She maintained that the programme that replaced "Chez Hélène" was shorter and not of as high quality.

In the opinion of the Corporation's producers and outside consultants, "Chez Hélène" had been valuable but it had now been superseded by new French-teaching methods and new production techniques. The CBC also took into account the fact that the ratings of "Chez Hélène" had been steadily decreasing in recent years, and were frequently below those of "Sesame Street". It considered that a greater number of children could learn about how French-speaking people lived from the French-language sequences in "Sesame Street".

The bilingual and multicultural features incorporated into "Sesame Street" did not take the place of "Chez Hélène", but this had never been the Corporation's intention. A new programme for English-speaking children on learning French was being prepared in the Montreal studios.

The Corporation was convinced that through this new programme, entitled "Pourquoi", and through the French-language sequences on "Sesame Street", a larger number of young Canadians would learn the French language and discover French culture.

#### *File Nos. 703, 730, 1019—Telephone and Reception Services*

- Two French-speakers living in Ontario stated that they could not obtain service in French from the Corporation's switchboard operators in Toronto. They claimed that at the beginning of a conversation the name of the Corporation was often given in English only; furthermore, the operators often replied in English, sometimes in an unpleasant tone of voice, to questions asked in French; finally, in some cases it was impossible to get through to the person one wished to speak to without talking to the operator in English.

The Corporation reported that when French-language radio station CJBC was opened in Toronto on 1 October 1964, the switchboard staff were unilingual. In September 1972, however, seven of the thirteen were bilingual. Furthermore, when a position became vacant, candidates were required to have at least a minimum of knowledge of the other language. The Corporation estimated that service was provided in both languages 85 per cent of the time. It also assured the Commissioner that if the opening of the new French-language television station in 1973 produced a substantial increase in the number of telephone calls in French, it would make sure that the new requirements were met.

After investigating, the Commissioner recommended to the Corporation that:

- 1) when switchboard operators in Toronto answered calls, they give the name of the Corporation in both languages: "CBC-Radio-Canada";
- 2) unilingual English-speaking operators automatically transfer calls received in French to colleagues with a good knowledge of that language, after alerting the caller with the very simple phrase: "Un instant, s'il vous plaît";
- 3) operators refrain from speaking English to French-speaking callers, as service should be provided automatically in the language of the caller;
- 4) waiting time be in all cases kept as short as possible; and
- 5) the composition and deployment of the staff be such that service can be provided in both languages at all times, in accordance with the foregoing.

In September 1973, the Corporation informed the Commissioner that it accepted his recommendations, noting that it had recently created four new positions for bilingual switchboard operators. It felt that this would enable it to provide service in both languages at all times.

- A French-speaking person complained that the Corporation did not have sufficient bilingual staff in its Winnipeg reception and information office to provide continuous and efficient services in both languages.

The Corporation stated that there was a bilingual employee in its Winnipeg information office. He was available from 9 a.m. to 5 p.m., Monday to Friday. After 5 p.m., calls in French were transferred to the duty announcer in the French-language broadcast control room. In December 1972, the Corporation hired a bilingual switchboard operator. It proposed to improve the situation by further increasing the number of bilingual operators in Winnipeg.

Reminding the Corporation that it should provide services of equal quality in both languages in the Winnipeg area at all times, the Commissioner recommended that it take the necessary steps to see that the information and reception services complied with the Act.

## CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

### SUMMARY

CIDA believes that it is able to offer services to the public in both official languages adequately. Further, it indicates that French and English are used as languages of work on an equal basis; some 350 employees work in French while about 400 work in English.



In response to the Commissioner's questionnaire, the agency stated that its policy since August 1971 had been to ensure respect of the Official Languages Act in its service to the public and to encourage the use of French, as well as English, as a language of work. It set 1975 as the target date for completion of its bilingualism programme. Responsibility for this programme is shared by its Bilingualism, Information and Administrative Services under the direction of the Vice President (Administration). The Treasury Board has apparently reviewed CIDA's implementation of bilingualism; however, the agency's Operational Audit Branch is expected to complete its own evaluation in 1974.

The agency sought to offer bilingual services not so much by designating bilingual positions as by having sufficient staff using one or the other official language to meet their needs.

## COMPLAINT

### *File No. 1017—Bilingual Wanted*

An English-speaking public servant came to see the Commissioner to complain that he had been discriminated against because he was not bilingual. He claimed that he had been eased out of his former job for that reason. He had been shifted about to a number of different positions, all of them temporary, and the position he now held could be terminated at any time. He was receiving the same salary as when he had been a director but he had been told to find employment with some other government department or agency. Despite his own efforts and those of his employer, the Public Service Commission had not succeeded in finding him alternative employment.

The Commissioner was of the opinion that CIDA, in acting within the terms of the Public Service Employment Act, had taken due account of the provisions of the Official Languages Act. He nevertheless raised the issue unofficially with the Chairman of the Public Service Commission who, in the meantime, had himself received a communication from the complainant. It was decided that the complainant would be granted education leave, after which suitable employment would be provided.

## CANADIAN NATIONAL RAILWAYS—"Closely Watched Trains"

### EVALUATION

*Parliamentarians should expect great strides in bilingualism from one of its pioneers. In some vital areas, indeed, such as language training, employee information, and standardization of terminology and*

signs, the CN has lived up to this hope. Moreover, the Commissioner has often benefited from the President's personal counsel and co-operation. Yet to date, and in spite of some noticeable progress, the CN's performance remains disappointing. This is the Commissioner's opinion, recalling the Company's preparatory work to implement recommendations from two special studies of CN railways and hotels. It also mirrors his experience with the complaints he has received on the persistent lack of bilingual service on CN passenger trains—even on such heavily travelled and culturally symbolic main lines as Toronto-Montreal.

The studies dealt only with the language of service, not including the Company's telecommunications. Moreover, the Commissioner did not receive enough information from the CN concerning the status of implementation of his recommendations to make a full report to Parliament. Hence, any assessment of the Company's compliance with recommendations resulting from special studies must be qualified by some serious reservations and, as such, can only be considered incomplete.

The CN did not give any answer to the recommendation (no. 3, Headquarters study) that establishes the cornerstone for all other recommendations affecting the CN: i.e., that as an institution serving the travelling public the Company "accept the existence of overall regular demand for bilingual . . . service" to the public "across the system". On the contrary, the effect of the recommendations was curtailed by the CN's repeated reservations that the provision of bilingual service be based on "where the need exists" and "where we have the capacity". These and other statements seem to indicate that the Company accepts the absence of service in both languages as a permanent condition at some points in its system.

The CN has made many statements of intent, but so lacking are they in explicitly formulated concrete objectives and time-frames that they give the impression of an inadequate effort and sense of urgency.

Implementation of the Commissioner's recommendations, as interpreted from the CN's own data, has been incomplete and uncoordinated. Moncton seems to have benefited from the Company's attention. But the absence of general information, apart from individual complaints touching on other centres, makes it difficult this year for the Commissioner to tell the reader about uniform progress across the system. Next year's report will monitor system-wide change (or lack of it) more completely.

The Commissioner appreciates that full implementation of his recommendations across the system, as well as collecting data about implementation, requires time and personnel. A particularly warm

*summer in labour relations in 1973 has, understandably, done little to speed things up. It also seems that a fragmented rather than systematic approach has slowed the pace of reform.*

*Given the complexity and reach of this institution, the Commissioner points out that this evaluation remains less than all-encompassing. It cannot be taken as a comprehensive view of the CN, since no special studies have yet been conducted of the CN's telecommunications and trucking operations. The reader may consider the above merely part of a continuing evaluation which will be expanded over the next year or two.*

The answers to the 10 recommendations indicate two main areas of progress. First, the company is expanding its employee information programme; a policy guide on official languages with notes on implementation has been distributed to regions, departments and union officers. The programme, which has also made use of publications, videotapes and meetings, represents a rare and commendable effort among federal institutions.

In second-language training, facilities were expanded in the regions. Classes were established permanently in Moncton for employees serving the travelling public and extended to Western Canada in the spring of 1973. By September 1973 a school was established in Winnipeg, and another is planned for Vancouver in early 1974. The CN has also expressed its intention to extend priority to those employees identified (by it) as likely to be engaged in passenger service. The specific application of such a policy must, as the Company stresses, be negotiated with the appropriate unions.

As regards the provision of bilingual service at CN stations, offices, terminals, hotels, and on passenger trains throughout Canada, the situation does not appear to have changed a great deal, except perhaps at Moncton.

The main areas of service dealt with in the CN's response to the Commissioner's recommendations were telephone reception and oral public announcements. With respect to telephone reception, instructions were issued on 29 September 1972 concerning the procedure to be followed by unilingual employees addressed by a member of the public in the other official language; this procedure, "where applicable", was to be incorporated in job training. This was done "in some areas", but Moncton is the only concrete example given. A recording is being experimented with in Winnipeg, but again no planned programme is clearly observable.

With respect to oral public announcements at railway stations, there appears to have been relatively little divergence from the September 1969 policy on bilingual announcements at 23 main stations across Canada. The CN stated that in many other stations in Ontario



and Quebec, live announcements were made in both official languages and that taped installations, to be completed shortly, would increase this service. It is difficult to see how this bilingual service can be extended much beyond Quebec, let alone to all points across the system, if the Company resigns itself to the position described in its statement: "Where the need does not exist and where we have not got the facilities to make bilingual announcements we can only leave the situation as it is whether it be unilingual announcements in French, or unilingual announcements in English."

Announcements made on passenger trains pose a problem for the CN. The Company intends "to see what alternative arrangements, if any, can be made" where it does not have bilingual capability, but envisages "15 to 20 years" [sic] to resolve this particular problem.

The Company reported that an effort is being made by all regions and departments to hire bilingual personnel "for services to the travelling public where the need exists". The only example offered was the new Hôtel Beauséjour at Moncton, which was staffed predominantly with bilinguals.

Most of the 80 complaints settled between 1 April 1970 and 31 March 1973 were justified. Almost all of them concerned the language of service. Two complaints dealt with the language of work. Complaints received from a few English-speakers, on the other hand, alleged that the CN hired mainly bilingual applicants in certain areas.

The results of the investigation of the ten or so complaints about lack of services in French on some of the CN trains were far from encouraging: this was especially true of the Montreal-Toronto run, where an absence of bilingual services would seem to be unpardonable. The Commissioner reminded the CN that the complaints reflected a growing dissatisfaction among the public with the linguistic aspect of the services provided on the CN's trains, particularly in the province of Quebec.

About 20 complaints cited lack of telephone service in French in the CN-CP Telecommunications offices in various Canadian cities. The CN acknowledged—sometimes only after lengthy discussions and when several complaints against certain offices had been brought to its attention—that it lacked sufficient staff in several regions to provide services in French at all times. In order to rectify the situation as quickly as possible, the CN in these cases used the Zenith telephone service. The CN also indicated that wherever there was a significant and regular demand for telecommunications services in French, it would do its utmost to recruit bilingual employees. Again, this attitude simply seems to consider as a dead letter, Section 10 of the Act, which is based on an assumed system-wide demand.

The other complaints about the language of service were quite varied: lack of service in French in various CN offices, in hotels, on ferry boats, in railway stations, and so on. On the whole, complaints of this nature received the CN's immediate attention. The CN rectified the situation in almost all of these cases and, where the Commissioner made recommendations, the Company strove to implement them.

The Commissioner's Office carried out two investigations concerning French as a language of work in the CN. In both cases, the CN reacted favourably and explained to the Commissioner the measures it had already taken and those it planned to take in the future. However, much remains to be done in this respect before French and English enjoy equal status in the CN. The Commissioner intends to keep a close eye on the situation, especially in the regional offices of the Company in Quebec, where he considers that French should be the normal working language of the CN and, indeed, of other federal institutions.

### *SPECIAL STUDY—HEADQUARTERS*

This study, begun towards the end of the 1971-72 fiscal year and completed in the fiscal year under review, received only brief reference in the *Second Annual Report*. As indicated in that report, the Office chose to study Canadian National Railways in the context of a series of studies of institutions furnishing transportation facilities. As a national transportation company, CN has a special obligation, under Section 10 of the Official Languages Act, to provide bilingual services to the travelling public, and the Commissioner's Office wished to examine and appraise the measures adopted by the company's headquarters to ensure corporate compliance with the Act.

The study concentrated on headquarters as a central administrative body whose policies and decisions affect all its offices and units across the country and abroad. Because of the size of the institution and the diversity of its enterprises, this study was confined to railroad and hotel operations. As these operations outside Canada were exempted from the application of Section 10 (2) of the Official Languages Act by Order-in-Council, the company's Canadian operations alone were considered.

#### *Company Approach*

The senior management of the company was largely convinced of the desirability and necessity of continually raising the company's

level of institutional bilingual competence. But the process was, at the time of the study, viewed by the company as one of continuing evolution and development with no clearly defined objectives and no specific completion dates. Although the study team noted some evidence of indifference and reluctance within the company towards the introduction or increase of a bilingual capability outside Quebec, it was clear that senior management was trying to persuade its personnel to view bilingualism as an integral part of its service to the public. However, its efforts were directed mainly at the management cadres. During the study the team found that, except for the distribution of certain written material, no sustained attempt had been made to bring to the attention of the rank and file the necessity and benefits of complying with the Act.

It was concluded, on the basis of information obtained and a study of relevant documents made available, that except in the area of tangibles such as signs, forms, and publications, no ultimate specific goals had been defined and established for the whole company. Some minimum standards for the disposition of bilingual personnel had been set in mathematical terms, but a detailed plan for meeting the requirements of the Act did not exist. Indeed, it was left to management in the regions to determine requirements, with no specific administrative goals or criteria from headquarters to determine them. While existing policy documents revealed a general intent on the part of senior management to comply with the Act, no methodical or coherent programme (in terms of personnel, language capability and location) for determining or of translating that intent into action existed at the time of the study. In most areas of operation, no monitoring system, no clear chain of authority and no procedures had been introduced to facilitate implementation of the Act. The linguistic profile of employees taken by the company, although restricted to certain levels, reflected self-assessment by employees and had not been amended at the time of the study to reflect the findings of subsequent testing.

The company viewed its obligations to the local and travelling public as restricted mainly to specific areas and to where there was significant demand. There was no precise explanation or definition of the requirements of the Act, priority for the provision of service was given to the Province of Quebec, and service in the two official languages across the country to the travelling public was uneven. The company did not seem to appreciate that, even though operations in the Province of Quebec had in general been rendered bilingual, the French-speaking travelling public did not confine its movement to any one particular area but travelled throughout the country; moreover, it did not seem clear to the company that a local French-speaking public existed in all provinces. Because the company's primary responsibility



is to the travelling public, and because the travel pattern of that public cannot be predicted accurately, the one safe way to ensure that service is available at all times is to assume the existence of demand across the country. The Commissioner proposed, therefore, that as a preventive and practical measure the company ensure that all aspects of public communication and service to the travelling public be available everywhere in both official languages. Naturally, the level and volume of that service will vary.

### *Printed Material*

With respect to other aspects of service such as signs, forms and other printed material, the company was to render them bilingual. But there was some discrepancy between that policy and its execution. Application of the policies was uneven and it was difficult to establish the degree of urgency with which the company viewed the programme of rendering the tangible aspects bilingual. The company was not able to retrieve at a given point in time, even for its own management review, a complete status report on signs in stations, hotels, ticket offices, ferries, terminals, etc., or on displays.

Advertising was effected through agencies which were instructed to seek coverage in both official languages. Because of the absence of a monitoring system, however, there was no way of ascertaining that in this aspect everything was being done in accordance with the Act.

The company made a distinction between sales promotion material and material intended for the information of the public. As far as promotional material was concerned, it appeared that the company might not have been paying equal attention, and perhaps had inadvertently not been providing equivalent information, to both linguistic groups in their respective media except where commercial factors made it profitable to do so.

Correspondence was answered in the official language of the addressee. Headquarters translation facilities were seldom used and, generally, English and French correspondence was answered with equal dispatch. Where regular professional translation facilities were lacking in a particular unit, regular support staff was frequently called upon to do the translation required for correspondence. The quality of translation was on occasion imperfect. The company's linguistic services are now attempting to monitor this work more closely. With regard to announcements on trains, at stations, on ferries and in terminals and hotels, the company was gradually attempting to replace live announcements by taped ones.

## *Oral Communication*

No specific implemental guidelines were available on the subject of telephone identification and reception. In major cities, reservation requests coming over the telephone were directed to a main telephone reservation centre where there were personnel capable of dealing with such requests in either official language. As for hotels, only two hotels across the system were said to have sufficient bilingual capability among their telephone answering staff.

Information on the actual status of bilingual services provided by concessionaires in railway stations and hotels was not fully available. The only bilingual service clause existing at the time of the study was in a contract between one hotel and a giftshop on its premises. The CN hotels were instructed by hotel management, during the course of the study, to ensure that when future agreements or renewals of agreements were negotiated, a clause covering provision of bilingual services be included in the agreement.

## *Language Training*

Second-language training programmes existed at the CN long before the Official Languages Act came into effect. At the time of the study, the company showed impressive accomplishments for which it deserves recognition. Unfortunately the frequency of the courses and the scale on which they were made available were inadequate when measured against the size of the company and the complexity of its organization and its relationship with its various publics. There was no "system-wide" plan for language training, and whatever training was provided was of an *ad hoc* nature. Certain major, basic elements for planning seemed to be missing. Training only staff who were in "out-front" posts would not solve the company's problems because of the small number of bilingual employees elsewhere in the company. CN's tendency to deal first with areas where the problem was most pressing was seen by the team as an attempt to cope with the situation on a crisis basis rather than to get to the core of the problem and resolve it. Training had been neither intensive nor extensive enough and was not being given to the number of people required to meet linguistic demand on principal runs. In addition, there was no apparent incentive for employees to take language courses. The company had made notable strides by developing and introducing a 17-day course and by improving and updating it, but had not succeeded fully in meeting its system-wide requirements for linguistic capability among its personnel.

## *Deferments*

In certain areas within Canada, the company requested, and was subsequently granted, four broad deferments under the Official Languages Act. Two of these had already expired at the time of the study, one would expire shortly, and one would come to an end in August 1974. On the basis of the information it received, the study team saw little likelihood of the company being in a position at the locations in question to comply with the requirements of the Official Languages Act upon the expiry of these deferments.

## *Manpower*

While the company could overcome, without much difficulty, most of the deficiencies related to the tangible aspects of language of service, it may prove extremely difficult for it to serve the travelling public automatically and satisfactorily at all times unless it works out a step-by-step plan of action for meeting manpower requirements. On the surface, the objectives of the company as outlined in what was at the time of the study its draft bilingualism policy, couched as they were in broad general terms, appeared quite laudable. However, a detailed scrutiny showed results to be somewhat illusory.

Unless the company knew its requirements for bilingual personnel, unit by unit, and the resources on hand at any given time, it could hardly move in a concerted manner towards compliance with the Act. The setting of minimum standards as to the number of bilingual employees per train was rather arbitrary and involved a built-in denial of service to a portion of the travelling public.

Absence of specific guidelines explaining how demand should be viewed, translating the requirements of the Act into administrative terms, and indicating the steps that should be taken to develop the manpower needed to provide that service in both languages left the Act's requirements and implementation open to varied interpretation by management at different levels and locations. Because of lack of planning, 99 per cent of the personnel on hand in Quebec were bilingual while other provinces suffered from a dearth of bilingual resources. The company, up to the time of the study, had relatively minor success in acquiring or developing bilingual personnel for the provision of service to the public in both official languages and then utilizing that personnel effectively. Employees' acquired rights to seniority and to bidding for jobs within different occupational categories and geographical areas were certainly an inhibiting factor. This, however, only underlined the necessity and advisability of continuing consultation with employees' unions before management action was taken, rather than after the fact.



## Conclusion

In essence, at the time of the study, the absence of a comprehensive, co-ordinated, systematic and monitored approach towards implementation of the Act indicated that, for the foreseeable future, CN would probably lack the bilingual manpower required to meet the needs of institutional bilingualism across its system.

The Commissioner recommended that:

(1) the Company initiate immediately a full-fledged and in-depth information programme directed to its employees at all levels but particularly to those in contact with the travelling public or with a local public comprising Francophones or both official language groups. This programme should include both printed material and face-to-face communication and be designed to explain the obligations under the Act, to foster the employees' interest and to elicit their understanding and active participation in achieving its objectives. This programme should also serve to guide employees through the difficult period of transition in such a way as to answer questions or dispel legitimate doubts and uneasiness;

(2) the Company, in order to complete its fulfillment of the requirements of the Official Languages Act,

(a) develop implementational objectives and plans of action for the "System" and for its administrative components relating to all aspects of service to the public,

(b) chart and oversee achievement of those objectives and plans of action,

(c) convey, to its regions, for purposes of common understanding, guidelines on demand, the implications of automatic service in the two official languages, the level of linguistic proficiency required for different positions, and other essential elements;

(3) the Company, in recognizing its position as Canada's national railway system, *accept the existence of overall regular demand* for bilingual passenger train and hotel service to the *travelling public across the "System,"* and that it therefore accept the offering of such service spontaneously throughout the "System" as a permanent objective. It is further recommended that the Company, as a federal institution, *accept the existence of regular demand* for its bilingual service to the *local public* wherever that public is made up of the two official language groups. All existing and future measures to provide bilingual services to the public should be regarded and assessed as steps to these ends;

(4) the Company communicate to the public, where it is not already doing so and where such capability already exists or is in future developed, its capability of providing service in both official languages, and thereby encourage the public to assert its entitlement to service in the language of its choice, which it might not otherwise be inclined to do;

(One way of so communicating with the public could be, where that is not already being done, to use the large and/or small poster from the Commissioner of Official Languages: "Now You're Talking—Vous Avez La Parole." A second could be to post signs stating "Ici on parle français—English spoken here", as the case may be. There are no doubt other techniques.

In any event, the communication should indicate not only that service in the other official language is available but also where it may be obtained.)

(5) the Company take all necessary steps to render bilingual as soon as possible those train, ferry and freight terminal, station and hotel signs outside of Quebec that are still unilingual and that it accelerate its existing programme to that effect;

(6) the Company render bilingual, as soon as possible, all remaining unilingual printed material intended for the public, including forms, publications, leaflets, brochures, notices, posters, calling cards, office stamps, freight tariffs under the Company's control, specifications, tenders, contracts and other related technical material, preferably in one document, and they be displayed with appropriate precedence as indicated in Recommendation 10(a). Furthermore, it is recommended that when space and technicalities compel the Company to keep the printed material bilingual in separate language versions, all precautions should be taken to ensure joint distribution of the material where that is not already the case, when the choice of the official language of the recipient is not known;

(7) the Company apprise responsible officers of the full implications of Section 7 of the Official Languages Act to the effect that promotional, as well as purely informational, advertising be generously carried out in both official languages to reach equally the two official language groups through publications and through media other than publications, to ensure that the requirement of informing the public is fulfilled throughout the country as part of the equality of status and service to the public requirements stipulated in Sections 2, 9 and 10 of the Act;

(8) the Company pursue its objective of making correspondence and other matter pertaining to service to the public available in both official languages, by continuing to encourage and upgrade the originating of material in the two languages, by ensuring the adequacy of in-house and outside translation facilities accessible to the regions and, in deference to the principle of equal linguistic quality in both languages, by entrusting translation work wherever possible to professional translators;

(9) oral public announcements, whether of a routine or other nature, at railway stations and ferry terminals and en route announcements, be made in both official languages, where this is not currently being done, and that employees in hotels as well as railway stations and ferry terminals determine the official language in which a person should be paged, by inquiring from the person requesting the paging;

(10) (a) telephones, in offices and locations serving the travelling public and a local public consisting of both official language groups, be answered and the institution identified, where that is not already being done, in both official languages giving precedence to French in Quebec and to English in other provinces;

(b) where more extensive information than in 10 (a) is required over the telephone, the person answering, if bilingual, change into the language of the caller, and if not bilingual, master such courteous phrases and sentences in the other official language as to be able to keep the caller waiting until another person can be brought on the line who can deal with the caller in the latter's language;

(c) in all hotels across the "System", where sufficient bilingual capability is lacking, until such sufficiency can be developed, a suitable arrangement such as a central answering service should be devised to provide bilingual responses satisfactorily and automatically to requests emanating from customers within and from outside the hotels for various utilities, facilities, activities, etc.;

(11) the Company establish a system which would require each Region (a) to contribute, for each six-month period, a certain number of bilinguals into a regional pool covering the public-contact areas, and (b) to report on its progress at regular intervals to Headquarters;

(12) in the acquisition and development of bilingual personnel, greater attention and effort be devoted to providing bilingual service outside Quebec to the travelling public on CN passenger trains and at stations, offices, terminals and hotels, where such service has not to date either been provided or been provided completely;

(13) the minimum standards on the number of bilinguals on passenger runs east and west of Capreol be replaced by standards more commensurate with the linguistic service required by the Act;

(14) every possible step be taken to ensure that all passenger runs are equipped, where that is not already the case, with the necessary bilingual complement;

(15) the Company, while hiring for the passenger-freight pool of train conductors, trainmen and yardmen as well as for the public-contact employee categories in railway ground locations and in hotels, make every effort across the country to secure the greatest possible number of bilinguals so as to increase in time to the maximum the proportion of public-contact employees capable of providing service to the travelling and the local public in both official languages;

(16) the Company ensure, by whatever means at its disposal including the enforcement of a bilingual service clause in existing and future contracts, that concessionnaires at all locations, where they are not so doing already, provide service in both official languages. In the case of contracts in which such a clause does not now exist, or renewal of which is not due until a number of years hence, some interim measure be adopted to ensure the availability of bilingual service by those concessionnaires;

(17) serious consideration be given to making second-language training an integral part of CN's overall job-training programme for present public-contact and potential public-contact employees to the degree each is likely to need it from time to time;

(18) (a) intensive second-language training through the use of all available and reputable language training facilities offered by public and private enterprises, be made available to present unilingual public-contact and potential public-contact employees on a scale designed to meet the Company's requirements for bilinguals in the shortest possible time;

(b) that training should be made available under whatever conditions are most conducive to results, accepting the fact that the use of "double-banking" has to remain a part of the bilingualism programme until such time as this measure is no longer required;



(c) a cohesively planned retention programme including courses and, where possible, temporary transfers be instituted, in order to protect the investment by maintaining the acquired bilingual capability;

(19) as a step towards the attainment of satisfactory bilingual service on passenger train runs on which such service is not available or adequate, all personnel in the passenger-freight pool who have high seniority and are about two years away from entering into passenger service, before they are assigned to duty on passenger runs, henceforth possess such proficiency in the two official languages as to be able to serve the travelling public suitably in both. It is further recommended that they either have that proficiency at the time of successful bidding for such runs or acquire it through Company means thereafter; a two-year "cushion" period could allow unilinguals to bid successfully on the understanding that their tenure is tied to achieving within that time a specified level of language skill; personnel proven to be truly incapable of reaching such a reasonable standard of "functional bilingualism" should be offered employment of equal salary and prestige in a non-public-contact position;

(20) all of the recommendations above that directly or indirectly affect railroad stations be deemed to apply to those stations covered by Order-in-Council 1969-1774 to the extent necessary to anticipate the expiry of this deferment on 31 August 1974.

(21) implementation of the recommendations listed in this document be conceived and carried out without jeopardizing in any way the job security or career opportunities of the Company's personnel;

(22) furthermore, in implementing the preceding recommendations CN maintain close liaison with its employees' unions.

### *SPECIAL STUDY—MONCTON*

In June 1972, the Commissioner's Office conducted a study of the Canadian National Railways in order to examine with local management the level of bilingual services offered to the public in Moncton, site of the Atlantic Regional Office.

Canadian National engages in four major activities: hotel service, telecommunications, passenger service and freight service. Passenger and freight services were the principal subjects of the study. With respect to the other services, suffice it to say that the Hotel Beauséjour, which was to have opened in October 1972, planned to offer all its services to the public in both official languages as an integral part of its operations, and that telegrams sent in English were handled locally while those sent in French were relayed directly to Quebec for action.

Total personnel resources in the regional office numbered approximately 950 but officials did not know how many public-contact positions were filled by bilingual incumbents. The information was provided, however, for eight sub-offices and sections. Most of the 210 positions

in the sub-offices were public-contact positions, and 60 of the employees filling them were bilingual, thus guaranteeing at least some bilingual capability in each sub-office. Annual turnover of staff was reportedly light. Only a limited number of positions were designated bilingual, although it has been the policy of the office since 1968 to fill public-contact positions with bilingual people wherever possible.

During the last three years, 14 employees enrolled in French-language training. Priority for training was accorded to public-contact employees and particularly to those dealing with the travelling public. The office expected to expand its language-training programme considerably and to make more use of a retention programme.

In the realm of oral communications, bilingual counter service in the Moncton railway station was guaranteed by the presence of bilingual employees on each shift. Telephone listings were bilingual but, in answering calls, the CN identified itself in English only. At least one bilingual reservations clerk was on duty during each shift to accept calls in French. Four of seven switchboard operators who relayed calls to other sections were bilingual but did not always transfer French-language calls to appropriate bilingual section personnel who were capable of handling these calls. Officials assured the team that announcements at the railway station were always made in both official languages.

Most forms intended for public use were bilingual: of 86, 67 were bilingual in one format or another, 18 were in English only, and one in French only. All publications, of which there were few, were printed in both official languages and issued simultaneously. As for signs, insignia and the like, they were generally bilingual with some minor discrepancies.

The regional office made use of local radio and press essentially for advertising purposes but did not accord equal status to both official languages in this activity. The French radio was not used at all (officials claimed it was economically unfeasible to do so) and rather more advertisements were inserted in the English-language press than in the French-language press.

Canadian National was, in the team's estimation and on the basis of the information obtained, making a sustained effort to provide bilingual services in Moncton though it did not always do so in the spirit of providing its services automatically in both languages. In the light of the deficiencies noted, the Commissioner recommended that:

(1) Regional Office in Moncton obtain by 1 January 1973 statistics for all personnel, in particular, for personnel in public contact positions, concerning competence in the two official languages;

(2) employees in Moncton answering the reservations or central switchboard telephones (or any other telephone receiving direct outside calls) identify the corporation in both English and French;

(3) CN devise a system to ensure that, when calls in Moncton are transferred internally, the employee to whom the call has been transferred identify his department bilingually or identify himself by name only and carry on the conversation in the language of the caller;

(4) all CN public-use forms (including contracts) used by the Moncton offices be made available to the public in both official languages by 31 March 1973, and preferably in bilingual format;

(5) all stamps employed by the Moncton offices to obliterate, validate or cancel public-use forms be rendered bilingual or that texts of stamps be replaced by symbols by 31 March 1973;

(6) as of 1 January 1973, stationery and envelopes with identification in both official languages be available at all times in departments in Moncton which enter into correspondence with the public;

(7) all calling cards in Moncton be rendered bilingual on the same copy by 31 March 1973;

(8) all inscriptions on CN Express trucks in the Moncton area be rendered fully bilingual by 31 March 1973;

(9) Regional Office place bilingual advertisements in the Saturday edition of the Moncton English-language newspapers;

(10) in order to ensure that French- and English-language groups have equal access to information, all advertising by the Regional Office in Moncton on its own account be placed in both English and French media;

(11) services to the public offered by CN in Moncton be provided automatically in both official languages rather than only on specific request.

## COMPLAINTS

### 1. *Service to the Public*

#### a) *On Trains*

*File Nos. 768, 945, 1016, 1769—Rapido*

- A letter published in *Le Devoir* of 6 March 1972 reported an incident involving a French-speaking passenger in Central Station in Montreal. The complainant was about to take the *Rapido* to Toronto. At the gate, he was addressed in English, and when he went to get on the train the employee on duty did not understand even the coach number in French.

- Two other complainants drew the Commissioner's attention to this open letter and emphasized the need for CN to offer its services in both languages.



The complainants were informed of CN's policy at Central Station in Montreal and on the *Rapido*. The reader will find the details on page 163 of the *Second Annual Report* of the Commissioner.

- A French-speaking traveller complained of the arrogant manner of a unilingual English CN porter on the Montreal-Toronto *Rapido* when he asked for a French-language newspaper. The complainant stated that there were no French newspapers on the train.

CN informed the Commissioner that it would see that this kind of incident was not repeated. It pointed out, however, that all the employees who might have been involved in this incident had sufficient command of both languages to be able to serve customers in the language of their choice. CN also stated that its directives stipulated that French-language newspapers (*Le Devoir* and the *Journal de Montréal*) were to be provided free of charge to passengers in the club car, and pointed out that these papers could be purchased in the snack bar on the *Rapido*.

The Commissioner expressed the opinion that CN should see that these services were offered in a courteous manner to French-speakers as well as to English-speakers. His recommendation to CN, therefore, was that all services on the *Rapido* be offered spontaneously in both official languages.

#### *File No. 969— Ocean*

In February of 1972, the complainant made a trip from Montreal to Halifax and back on the *Ocean*. During the entire trip she was unable to obtain service in French in the dining-car, in the sleeping-car, and in Central Station in Montreal.

Taking up this question with CN, the Commissioner pointed out that the complaints he was receiving showed growing public dissatisfaction with the services being offered in French on the trains, particularly in the province of Quebec.

In its reply to the Commissioner, CN explained that it had decided to assign extra employees to Central Station in order to guarantee service to the public in both official languages. As for the *Ocean*, there was apparently always a bilingual waiter on duty in the dining-car. CN was sorry that the other dining-car staff members had not called upon this waiter when the complainant asked to be served in French. It was also surprised to learn that the complainant had had difficulty in obtaining service in French on the *Ocean* when she was returning from Bathurst on 29 February, since there were four bilingual waiters on duty in the dining-car that day.

CN told the Commissioner that it was continuing to give French courses to its employees who come in contact with the public, and said it felt the situation was improving.

*File No. 1129—Scotian*

A French-speaker reported to the Commissioner that during a trip made on 31 July 1972 on the *Scotian* from Bathurst to Montreal the service was far from bilingual, especially in the dining-car.

CN informed the Commissioner that of 14 employees who had dealings with the public on the *Scotian* that day, five were perfectly bilingual. It regretted that the complainant had been unable to obtain service in French in the dining-car. It also pointed out that continuing efforts were being made to ensure that, as far as possible, employees who dealt with the public were able to communicate with customers in both official languages. With this aim in mind, CN was continuing to offer its employees courses in French, and some positions on the *Scotian* and the *Ocean* had been designated bilingual. These measures should enable CN to provide service on these trains that would meet the requirements of the Official Languages Act.

*File No. 1237—Super Continental*

A French-speaking person reported that on 16 August 1972, just before the *Super Continental* from Montreal arrived in the Ottawa Station, the employee on duty repeated three times, in English only: "Ottawa Station in five minutes". Apparently he later added: "This way out, please".

CN asked the employees on duty that day about the incident, and none of them recalled it. They did say, however, that if the announcements had been made in English only, it was simply an oversight on their part.

CN further pointed out that its staff had been ordered to make announcements in both official languages, and reminded the group of employees concerned of their obligation to use both official languages in their dealings with the public.

*b) In Hotels*

*File No. 1055—Bessborough*

A complainant from Saskatoon claimed that the CN did not provide services in French at the Hotel Bessborough in Saskatoon. While admitting that there were some signs in both official languages, he said

that he was nevertheless obliged to use English everywhere in the hotel to obtain the services he desired. He sent the Commissioner a sample of publicity material about the hotel, all of which was in English only.

The CN informed the Commissioner that 11 of the 85 employees at the Hotel Bessborough were bilingual, but added that despite the management's efforts it might not be possible to offer complete bilingual service in the hotel for a while since it was extremely difficult to hire French-speaking staff in Saskatoon. The CN stated it was taking immediate steps to ensure that its advertising materials would be bilingual in future.

*File No. 1434—Beauséjour*

An English-speaking person from New Brunswick complained of the CN's hiring policy at the Hotel Beauséjour in Moncton. She alleged the CN was hiring only bilingual personnel, and that her unilingual English-speaking daughter could not obtain employment at the hotel. She believed this was unfair and discriminatory.

The Commissioner informed the complainant that in the same way as the Official Languages Act assured French-language service at the Hotel Beauséjour, it assured the right to service in English at the CN Queen Elizabeth Hotel in Montreal, and that such equality of treatment across the country was a goal very hard to present as discrimination. Although the Commissioner found no contravention of the Official Languages Act in the CN procedures, he offered to forward a copy of the complainant's letter to the CN if she authorized him to do so.

The correspondent wrote a second letter and asked the Commissioner to forward both letters to the CN, which he did. The CN later provided the Commissioner with information about the language skills of the personnel hired for the Hotel Beauséjour: 72 of the 87 persons hired were bilingual. The CN implied it had explained its policy to the complainant direct.

*File Nos. 1441, 1492, 1530, 1566, 1668—Château Laurier*

Five French-speaking complained against the Château Laurier in Ottawa on the following grounds: unilingual English receipts given to parking lot customers; unilingual English signs beside the cloakrooms of the Cock and Lion and the Canadian Grill; use of stationery with unilingual English letterhead; and bilingual bills with details of charges listed only in English.

CN informed the Commissioner that it had asked the parking lot concessionaire to have bilingual receipts printed. It agreed to have all signs in the Château Laurier in both official languages. It attributed



the use of stationery with English letterhead in replying to a French-speaking customer to negligence on the part of an employee. As for the bills, CN told the Commissioner that it had asked the people who supply the adding machines to make the necessary alterations to the equipment. It said it intended to make this correction in its other hotels as well as in the Château Laurier, so that bills would in future be made out in both official languages. Priority, however, was being given to the Château Laurier. Finally, the Château Laurier's management reminded all its staff to serve members of the public in the official language of their choice.

c) *On Ferries*

*File Nos. 782, 795, 1184—Ferryboats between New Brunswick and Prince Edward Island*

An English-speaking complainant took exception to the inadequate service in French provided aboard the CN ferry between Cape Tormentine, New Brunswick, and Borden, Prince Edward Island. He stated that the only newspaper he was able to purchase on board was the *Moncton Times and Transcript* and he thought that both French and English newspapers should be made available. He also objected to the CARA restaurant service being in English only, and to the fact that none of the restaurant personnel was able to make changes or corrections to the French part of the bilingual menu board.

A French-speaking person made a similar complaint about the CN's inability to offer service in French in the ferryboat's restaurant and in the restaurant on the disembarkation wharves. Another complained about the unintelligibility of the French menu posted in the restaurant aboard the ferryboat *Vacationland*, plying between Prince Edward Island and New Brunswick.

The CN replied that it had sought, to the best of its ability, to provide services in both official languages on ferries operating between Cape Tormentine and Borden. All signs were in English and French, and announcements were made in both official languages. Menus on the vessels and at the terminal building restaurants were displayed in French and English. With regard to the *Vacationland*, the CN explained that the menus were made up with individual letters and that the ship's vibration sometimes dislodged some of them. To remedy this problem, the company had replaced the old menu boards with framed glassed-in printed menus.

The CN had asked the companies operating newsstands and restaurants on the ships and at the terminals and also the P.E.I. Tourist Bureau to recruit bilingual staff wherever possible. Despite their

willingness, these agencies had always had difficulty recruiting bilingual personnel. The CN gave language training to its own staff when feasible. As a result of this complaint, the CN was arranging for local French newspapers and other reading material in the French language to be made available on the ferries.

The Commissioner suggested that the CN get in touch with the president of the Société Saint-Thomas d'Aquin in Summerside, P.E.I., who would be happy to furnish the company with a list of bilingual potential candidates for positions requiring a knowledge of French.

#### *d) Telecommunications*

*File Nos. 787, 854, 1154, 1259, 1315, 686, 765, 1022—Charlottetown, Sudbury, Windsor, St. Catharines, Grande-Prairie, Bonnyville and Edmonton*

French-speaking people in Charlottetown, Sudbury, Windsor, St. Catharines, Grande-Prairie, Bonnyville and Edmonton complained that their local CN-Telecommunications offices were not able to provide services in French at all times. They supported their allegations with the following statements: employees were unable to telephone a telegram to the addressee, senders were forced to spell out each word, and one employee flatly refused to accept a dictated message.

CN pointed out that in Charlottetown the office manager, a telephone receptionist and a clerk were all of Acadian origin and all three of them spoke French. It issued instructions, nevertheless, that messages in French to people living in Prince Edward Island were to be transmitted through Moncton or Quebec whenever a French-speaking employee was not immediately available in Charlottetown. As for French telegrams originating on the Island, these were already being relayed to the Zenith system in Quebec and then forwarded by telephone operators who had a good knowledge of French.

CN stated that the telecommunications office in Sudbury was run by Canadian Pacific. CP asserted that, on the whole, messages in French were transmitted without any problem.

CN admitted that its offices in Windsor, St. Catharines and Bonnyville were not in a position to provide services in French at all times. It also informed the Commissioner that the telecommunications office in Grande-Prairie belonged to the Northern Alberta Railways Company and had nothing to do with the CN-Telecommunications Service. CN pointed out that after 7 p.m. any important messages to or from Grande-Prairie were routed through its Edmonton office. It said that it deeply regretted the lack of courtesy shown by one of its Ed-

monton employees, and asked the Commissioner to kindly pass its apologies on to the complainant.

In order to improve its services in Windsor, St. Catharines, Grande-Prairie and Bonnyville, CN agreed to use the Zenith service to direct calls in French to the CN-Telecommunications office in Quebec City, and promised to publicize its services in the telephone directories in these areas.

The Commissioner made it clear to CN that he could accept the use of the Zenith system only as a temporary solution. He recommended that CN take the measures necessary to provide services in both official languages at all times wherever the demand was great enough to warrant it.

CN replied that wherever there was a significant and regular demand for telecommunications services in French, it would do everything possible to recruit bilingual employees.

#### *File No. 1291—Ottawa*

A French-language association received from the CN-Telecommunications office in Ottawa a memorandum in English repeating details of a previous statement of account.

CN deeply regretted this error, especially as its Ottawa office was perfectly able to correspond with customers in both official languages. To prevent such an incident from occurring again, CN reminded its employees that they should always serve a customer in his own official language.

The Commissioner in addition made a formal recommendation to CN that all memoranda sent to customers should be made out in the official language used by the customers.

#### *e) In Offices and at Stations*

#### *File No. 1033—Halifax*

A French-speaking complainant stated that the CN did not provide service in French at any of its outlets in Halifax. She said that all information concerning trains, telecommunications, and business services at the Hotel Nova Scotian were provided in English only.

The CN replied that there were bilingual employees at its three offices in Halifax. At the Hotel Nova Scotian all directional signs, menus and forms used by the public were bilingual and bilingual employees were always on duty.

Regarding telecommunications, there was a special telephone service available 24 hours a day to handle business in French and it was



listed in the Halifax telephone directory. At the Telecommunications offices, however, the level of bilingualism available was not up to CN's expectations.

At the train station, taped French-language announcements were used when a bilingual employee was not on duty. French-language training for employees had been accelerated and would be further expanded in 1973 in order to meet CN's objective of providing bilingual services to the public.

The above information was transmitted to the complainant.

*File No. 653—Campbellton*

In January 1972, the complainant tried unsuccessfully to obtain service in French at the CN office in Campbellton. In April of the same year, the complainant tried again and found the service in French less than satisfactory.

CN informed the Commissioner that five employees worked by turns at the ticket-counter in the Campbellton station. Four of them were sufficiently bilingual to serve the travelling public without difficulty in both official languages. The head ticket-clerk, however, spoke only English, and under the collective agreement his seniority gave him certain privileges, such as being able to choose his hours of work. On the day in question, he had chosen to work from 8 a.m. to 4 p.m.

CN decided to add one more bilingual person to its existing staff. Agreement was reached with the union, and CN published a competition notice advertising a position for a bilingual ticket-clerk. Until someone was hired, one of the bilingual employees would act as assistant to the head ticket-clerk. When the latter retired, the person hired to replace him would have to be able to speak French.

The Commissioner recommended that the need to serve the public in both languages be always taken into account when staff are hired and scheduled; that unilingual employees be instructed to transfer automatically and without delay to one of their bilingual colleagues all calls in French; that unilingual English-speaking employees be asked to refrain from replying in English to French-speaking customers since service was to be provided automatically in the customer's official language; and finally, that as a general rule every effort be made to provide the French-speaking public with prompt service.

*File No. 1226—Bathurst*

A French-speaker complained that he was unable to obtain service in French at the CN fares and reservations office in Bathurst.

CN informed the Commissioner that all regular employees at the office in question were bilingual. It added, however, that a unilingual English-speaker had worked there in the summer of 1972 to enable regular employees to take their vacations.

CN reminded all its employees that service should be provided automatically in both official languages.

*File No. 1153—Montreal*

A French-speaker said she was unable to obtain service in French when she telephoned the CN Passenger Sales and Services Department in Montreal.

CN explained that its policy was to have bilingual employees available at all times to handle telephone calls. It added that, on the day of the incident, there were a few minutes during the lunch period when the bilingual employee on duty was not present: he left his post before his colleague returned from lunch and that was why a clerk with limited knowledge of French had taken the complainant's call. CN repeated its directives to employees in this Department in an effort to prevent such incidents from recurring.

*File No. 1245—Ottawa*

A French-speaking traveller complained that he was unable to obtain service in French in the cafeteria at the Ottawa Station, and further pointed out that the menu was in English only.

CN told the Commissioner that the cafeteria in the Ottawa Station was run by the concessionaire, Cara Operations Limited. According to CN, the Cara staff was composed of two cashiers and five bus boys. One of the cashiers was bilingual, the other had a very limited knowledge of French and three of the bus boys were bilingual. CN did admit, however, that the menu displayed behind the counter was in English only. It therefore took steps to have the menu posted in French.

In addition, CN said that when Cara's lease was renewed in January 1973 it would see that a new clause was added, requiring Cara to provide service in both official languages at all times.

The Commissioner recommended that CN insert similar clauses in all leases of this type with Cara, which operates a number of concessions in CN buildings throughout the country.

*File No. 1006—Winnipeg*

A French-speaking woman in Manitoba complained that she was unable to obtain service in French when she telephoned the CN infor-

mation office in Winnipeg at the beginning of May 1972. She added that there was only one bilingual employee working in this office and informed the Commissioner that it was often necessary to insist on being served in French before a call was transferred to the bilingual employee.

CN admitted that the office in question was often unable to reply automatically in French when required to do so. In an effort to correct the situation, CN decided to increase its bilingual staff by hiring additional employees and allowing some of its present employees to take French courses. CN was also considering the possibility of using a tape recorder to record calls received in French. With such a system, whenever an employee was unable to reply in French, a recorded message in French would automatically be played, asking the caller for his name and telephone number and telling him that he would be called back in a few minutes.

The Commissioner duly noted CN's intentions to increase its bilingual staff in Winnipeg and recommended that:

- 1) employees of the Information Service in Winnipeg give the Service's name in both languages when answering the telephone;
- 2) unilingual English-speaking employees automatically transfer calls in French to colleagues with a good knowledge of the language, using this very simple French phrase: "Un instant, s'il vous plaît";
- 3) employees of the Information Service refrain from speaking in English to French-speaking callers, since service should be provided automatically in the customer's official language; and
- 4) delays be kept to a strict minimum.

While making it clear that he did not think that the system of recorded messages would ensure equally good service in both official languages, the Commissioner told CN that it could use the system as a temporary measure until it had enough staff to provide satisfactory service in French.

CN agreed in principle with the Commissioner's recommendations and told him that everything possible would be done to ensure that the Information Service in Winnipeg was able to provide a better service in French.

At the beginning of October 1973, CN informed the Commissioner that:

- 1) it had hired a bilingual employee for the summer so as to improve the Information Service's ability to handle calls in French;
- 2) one of the supervisors was currently taking an intensive nine-week course in French; and
- 3) three new positions had been created in the Information Service and these would be filled by bilingual employees. CN further stated that the



additional positions would enable other employees in the service to take language courses.

*File No. 1052—Edmonton*

A French-speaker said he had telephoned the CN's Passenger Service in Edmonton several times. He spoke in French each time but could not get an answer in his language. He was finally told that nobody in that office could speak French.

To correct this situation, CN decided to enrol three employees in a French course at the Berlitz School. The course was to finish around the end of the fall of 1972. To ensure that operations would continue to run smoothly while an employee was on course, the CN decided that the supervisor should be bilingual.

CN stated that a number of employees working in its Winnipeg offices were bilingual, and that it had issued instructions that French-speakers be referred to them. This was only possible, however, during regular office hours. From 4:30 p.m. to 9 a.m., Monday to Friday, and all day Saturday and Sunday, this bilingual service was not available.

Since the Official Languages Act requires that bilingual services be offered to the travelling public at all times by federal institutions or Crown corporations, the Commissioner recommended that the CN:

- 1) give clear instructions to unilingual telephone operators to transfer automatically to a bilingual colleague all calls in French, without the customer having to insist;
- 2) request that unilingual English-speaking telephone operators refrain from speaking English to French-speaking persons since service is to be provided automatically in the official language of the customer; and
- 3) ensure that the waiting time is always as short as possible.

The CN authorities said that they were prepared to follow the Commissioner's recommendations.

*f) Miscellaneous*

*File No. 844—Press Releases*

The editorial staff of a western French-language newspaper complained that the CN had sent it a press release in English.

When the Commissioner inquired about this, the CN admitted that a press release in English had inadvertently been sent to the newspaper, and expressed its apologies. The CN added that, in future, more attention would be paid to press releases being sent to French-language newspapers so as to avoid the recurrence of such incidents.

*File No. 949—Public Announcements*

An English-speaking person from North Bay (Ontario) complained that public announcements at CN stations were frequently made in broken English by French-speaking personnel. She stated that on many occasions these messages were hardly intelligible because of the heavy French accent and she claimed it was most upsetting to English-speaking travellers.

The CN replied that naturally it wanted all announcements to be clear and intelligible and, as far as possible, free of any accent that might be distasteful to its patrons. To this end, the CN taped announcements wherever possible. The CN said it also endeavoured to teach both English- and French-speaking employees the proper way to use the other language. It felt that it was perhaps better for employees to speak both languages, even with an accent, than not make the effort at all.

The Commissioner informed the complainant of the CN's views, adding that they were quite in keeping with the spirit and intent of the Official Languages Act.

*File No. 1028—Intolerance*

A French-language association received from the CN in Ottawa a copy of an express contract form on which the words "English Please" were written beside the association's French name.

The CN told the Commissioner that the fact that one of its employees had written "English Please" on the document in question could indicate a certain resentment against the Official Languages Act. It added that such an attitude would not be tolerated and it contravened the CN's policy.

After considering the circumstances, the Commissioner pointed to the need for the CN to issue clear directives to all employees at the office concerned so that the repetition of incidents of this type would be avoided.

The CN accepted the Commissioner's recommendation.

*File No. 1043—Sign*

A French-speaking person pointed out to the Commissioner that the unilingual English sign "C.N.R. Courtesy and Service" stood on both sides of the viaduct at the entrance to Fredericton.

The Commissioner informed the complainant that the CN authorities had told him that the sign would be replaced by a bilingual one as soon as the bridge was repainted.

### *File Nos. 1105, 1113, 1115—Requisition Forms*

A complainant from Ottawa drew the Commissioner's attention to an article in a Montreal newspaper claiming that the CN was still using unilingual English requisition forms. Two other correspondents wrote about the same article.

The CN told the Commissioner that a bilingual form had been in use since April 1972. The CN admitted that some of the old unilingual forms might still be lurking in one of its offices but said the bilingual form was now the only one being issued by the Stores Department. A copy of the new form was forwarded to the complainant.

### *File No. 1497—CN (France)*

A French-speaking complainant reproached the CN subsidiary in France with advertising under a unilingual English name.

Replying to the Commissioner's inquiry, CN said that its French subsidiary was registered in France under the name "Canadian National Railways (France)". CN pointed out, however, that it was considering the possibility of having the name of its French subsidiary registered in both official languages. The Board of Directors of the French company would, in fact, be looking into the question shortly.

Because a decision would soon be taken on this matter, the Commissioner thought it advisable to present his opinion to CN at once. He recommended that the Crown corporation always identify itself abroad in both official languages. If, for any reason, the corporation's name could not be registered in both languages in some countries, the Commissioner recommended that CN take whatever steps necessary so that it could use its French name in French-speaking countries and its English name in English-speaking countries.

CN subsequently informed the Commissioner that as of 17 May 1973, the name of its French subsidiary "Canadian National Railways (France)" had been changed to "CN (France)", and that the subsidiary's regulations had been amended accordingly.

## *2. Internal Problems*

### *File No. 933—Language Training*

An employee of CN-Telecommunications in New Brunswick wrote concerning the language requirements for CN employees in that area. He said he was alarmed at the number of bilingual people being recruited and wondered why he could not have access to language training.

The Commissioner replied that in the course of his continuing investigation of second-language requirements and facilities, he had



obtained a legal opinion as to whether access to language training is a right under the Official Languages Act. He was advised that no government department or institution is required explicitly by the Official Languages Act to provide second-language training; accordingly, such training cannot be considered a clear right under the law. As regards policy, he concluded that the designation of bilingual positions is the prerogative of the institution concerned and he would intervene only if the result of such designation led, in his opinion, to an infringement of the Act.

The Commissioner, however, stressed the great importance his Office placed on federal institutions considering with all possible sympathy every request for second-language training, even though, under the Act, employees cannot insist on being given such courses. The Commissioner has consistently expressed the view that second-language training should be offered to everyone who wishes it and who is likely to require it in order to further his career.

The Commissioner suggested that the complainant request, through his Personnel Officer, second-language training as soon as possible.

#### *File No. 1101—Discrimination*

The president of an English-language association in New Brunswick wrote to the president of the CN criticizing its hiring and promotion practices in the Moncton area and claiming there was outright discrimination against English-speakers in favour of French-speakers. He sent a copy of his letter to the Commissioner.

At his request, the Commissioner was sent a copy of the CN's reply to the complainant. In it, the CN denied any discriminatory practices on its part and pointed out that it was subject to the Canada Labour Code, which incorporates the Canada Fair Employment Practices Act, prohibiting discrimination based on race, colour, national origin, sex and marital status. Under the Official Languages Act, the CN stated it was required to provide service to the travelling public in both official languages. The CN invited the complainant to arrange a meeting with its vice-president at Moncton who supervised operations in the Atlantic Region.

The Commissioner thanked the CN for its prompt and willing co-operation.

#### *File No. 1253—Internal Communications*

A French-speaking cook said that he received instructions in English from the office of CN's Operations Supervisor, Customer and Catering Services, in Montreal.

CN informed the Commissioner that this office was mainly responsible for calling the staff assigned to the sleeping-cars and dining-cars—

the conductors, waiters, kitchen staff, and so on. According to CN, instructions to the crews were issued mainly by telephone by the staff of this office which comprised 12 employees, eight of whom spoke both languages fluently. CN added that, if an employee wanted to receive his instructions in French, it could be arranged. CN further explained that a certain number of routine instructions concerning kitchen staff were issued verbally or in writing in both official languages. For this reason, CN was trying to have all documents translated that were used by its employees in the performance of their duties.

The Commissioner pointed out to CN that it was unacceptable that an employee who wanted to have his instructions in French should be obliged to make a request. In his opinion, these instructions should be automatically issued in the employee's language. The Commissioner therefore recommended that all instructions given by CN to a French-speaking employee be in French, unless the employee has expressed the wish to receive them in English. He also pointed out that the same principle would naturally apply to English-speaking employees.

#### *File No. 1658—Loss of Job*

A Member of Parliament asked the Commissioner to comment on a situation that had arisen in the CN-Telecommunications office in Ottawa. In the past, a telephone operator used to take down the message dictated by the customer and pass it to a teleprinter operator who prepared a coded tape. New machines were now eliminating the teleprinter operator's job by encoding typed messages electronically. The personnel displaced believed that the employer was unreasonable in insisting that all operators of the new machines should be bilingual, thus making it difficult for long-serving unilingual teleprinter operators to qualify for the new jobs.

The Commissioner replied, explaining the requirements of the Official Languages Act and various possible ways of meeting them. However, the employer had already found that the seniority rule could be maintained and service provided in both official languages, so the file was closed.

## CANADIAN RADIO-TELEVISION COMMISSION

### COMPLAINTS

#### *File No. 194—Radio Programming*

In his *Second Annual Report* (page 164) the Commissioner reported that several people had complained of the high proportion of

English-language records in the programming of stations CKCH (Hull) and CJRC (Ottawa).

Having brought this matter to the attention of the Commission, he learned early in 1973 that the CRTC had asked several French-language radio stations, among them CKCH and CJRC, not only to reduce the high percentage of English-language vocal pieces they broadcast, but also to improve the quality of the spoken language in their broadcasts.

The Commissioner congratulated the CRTC on the position it had taken and expressed the hope that there would soon be an appreciable improvement in the broadcasts.

#### *File Nos. 1725, 1751—French Television in Ontario*

Some French-speaking people complained that, because of a decision of the Commission, the quality of reception of the French-language television station in Toronto, CBLFT Channel 25, had been lowered in southern Ontario. They feared that this would be detrimental to the interests of French-speakers in that region.

The CRTC sent the Commissioner its press release of 21 February 1973 which pointed out that it was necessary, when technical difficulties arose, to rebroadcast Channel 25 programmes on Channels 5 and 9. The CRTC emphasized that adequate reception on Channel 25 would be ensured by 1 January 1974. The release noted that it was the diversity of technical installations in the Metropolitan Toronto cable systems that had led the CRTC to approve the rebroadcasting of Channel 25 programmes on Channels 5 and 9 on a temporary basis.

After studying this matter in detail, the Commissioner informed the CRTC in September 1973 that, if a high quality of reception on Channel 25 was guaranteed from January 1974 on, the spirit of the Official Languages Act would be respected.

## CANADIAN TRANSPORT COMMISSION

### *COMPLAINTS*

#### *File No. 1698—Service for French-Speakers*

A French-speaking person asked the Commissioner to examine the way the Official Languages Act was being enforced in the Canadian Transport Commission. He felt that the Commission could not serve the French-speaking public as effectively and promptly as it served the English-speaking public because not enough of middle management



was bilingual and it was therefore necessary to resort regularly to translation.

The Commissioner informed the complainant that he would study this possibility and, in fact, he decided that his Office would undertake a special study on the Commission in 1973-74.

#### *File No. 1778—Unilingual Position*

A complainant drew the Commissioner's attention to the poster advertising a competition for a Supervisor's position in the Personnel Services. According to this poster, the only language required was English; the complainant believed that the nature of the work called for a knowledge of both official languages.

The Commission told the Commissioner that English was indispensable as many of the people with whom the incumbent would work were unilingual English-speakers and the internal paper work was in English. It agreed that a knowledge of French would certainly be useful and added that if the Commissioner felt that this position should be designated as bilingual, it was quite prepared to discuss the matter. The Commissioner then made a formal recommendation that the competition poster should be withdrawn and a new one substituted which required a knowledge of both English and French.

The Commission replied that it had already filled the position to its satisfaction and could not therefore accept the Commissioner's recommendation. It pointed out that all its positions would shortly be reviewed in accordance with Treasury Board directives and bilingual positions duly designated.

Officers of the Complaints Service then met with the Secretary and other members of the Commission's staff and discussed various aspects of the case. In particular, they requested that traditional attitudes to the language of work should be re-examined with a view to allowing present and future employees the maximum freedom of choice consistent with effective performance of the organization's role.

## CANADIAN WHEAT BOARD

### *COMPLAINT*

#### *File No. 843—Press Release*

The editorial staff of a French-language newspaper in Western Canada complained that they had received from the Minister responsible for the Board the text of a speech and a letter written solely in English.

The Commission brought this matter to the attention of the Privy Council Office. The Principal Secretary of the Prime Minister's Office asked all executive assistants to ensure that when a minister gives the text of one of his speeches to the press, either directly or by mail, he provides it in both official languages.

## CENTRAL MORTGAGE AND HOUSING CORPORATION—"The Apartment"

### EVALUATION

*The Commissioner, although reserving judgement on CMHC's country-wide performance, commends the Corporation for its sustained efforts to implement the Official Languages Act in the National Capital Region.*

Before the Commissioner conducted a special study in 1971, the Corporation had already moved towards increasing its bilingual capability by establishing a language school on its own premises. This early initiative and the Corporation's subsequent performance in carrying out the five recommendations of the study, of which the two relating to language training and retention programmes had already been met by the end of the 1971-72 fiscal year, mirror the Corporation's commendable efforts to provide bilingual services to the public and achieve institutional bilingualism in the National Capital Region.

In February 1973, the Corporation provided an up-to-date report on its implementation of the five recommendations. The Corporation stated that the number of its employees in language training programmes had increased from 78 in 1971-72 to 131 in 1972-73. Substitute personnel were hired on a limited basis to allow staff flexibility and interchangeability for employees away on language training. The Corporation had established a rotational transfer system to help language retention and has set up a language assessment section which gathers data on bilingual employees and determines yearly losses and gains in bilingual personnel. Finally, the recommendation about some minor printed material had received necessary action.

The Commissioner investigated six complaints against this institution between 1 April 1970 and 31 March 1973. These touched on such things as forms, signs, advertisements in newspapers and an information kit. The Corporation quickly corrected the situations which gave rise to the minor complaints and promptly put into effect two recommendations the Commissioner made concerning advertisements in newspapers.

## COMPLAINTS

### *File Nos. 1207, 1567, 1781—Unilingual Signs*

- A French-speaking person who was passing through Toronto noticed that the sign outside the Morningside Court housing project, which was financed by the Corporation, was unilingual English.

The Corporation told the Commissioner that it did not own the project. Although it had suggested to recipients of loans in 1970 that they should indicate this source of funds by means of bilingual signs, it had not insisted that they do so. The borrowers concerned may have erected the English section of a billboard dating back to 1970 to acknowledge publicly that there had been federal participation in Morningside Court, but they had not consulted the Corporation about it. As a result of the complaint, the Corporation asked the borrowers to remove the sign, and they agreed to do so immediately.

- A complainant objected to the fact that polythene used in construction by the Corporation bore the unilingual English identification "CMHC".

The Corporation wrote to the Commissioner that in future all material used in construction would be identified in both official languages. A sample of the new bilingual identification was enclosed with the letter.

- A complainant stated that the sign outside the Corporation's office in Edmonton was in English only.

The Corporation replaced the sign with a bilingual one and asked its regional directors to have all signs visible to the public checked to make certain that they complied fully with the provisions of the Official Languages Act.

### *File No. 1272—Forms*

A French-speaking person filled out a bilingual questionnaire in French in order to obtain a mortgage from the Corporation, but when he went to a bank branch in Ottawa, he noticed that the terms of the mortgage were drawn up in English on a unilingual English form. He insisted that these terms be in French on a French or bilingual form.

This complaint had various legal and administrative implications. It was the contractor and not the buyer (the complainant) who had the mortgage with the Corporation. The contractor had mortgaged his property and entrusted the administration of the loan to a bank. According to the Ontario Registry Act, all mortgages must be registered in English, but a French version may be added and registered as well.

Private enterprise and Ontario legislation were responsible for the fact that the documents were not in French. The complainant had ac-



cepted the mortgage by signing a form which was issued by the bank and not by the Corporation. From a legal point of view, the Corporation was not a party to the agreement as it was only guaranteeing the loan.

Although the agreement form had been issued by the bank, the Commissioner was nevertheless of the opinion that the Corporation played an important role in approving the purchaser and guaranteeing the loan. Even though, in the Commissioner's opinion, this complaint did not involve a violation of the Official Languages Act, he nevertheless recommended that the Corporation should urge lenders to provide borrowers with explanatory texts and blank forms in the language of their choice.

#### *File No. 1643—Advertisement*

A complainant alleged that an advertisement published in the *Montreal Gazette* for an architect/town planner on 22 January 1973 was discriminatory because it said that preference would be given to candidates "d'expression française". The advertisement indicated that the position was in a federal government agency, but did not say which.

After a number of inquiries, the Commissioner established that the Corporation was the institution responsible. It explained that it would like to recruit a bilingual architect/town planner—in any event it had to be one who was fluent in the French language—to fill a vacancy in the Montreal office, where the language of work was French. The Corporation maintained that, despite the wording of the advertisement, it would give every consideration to any fluently bilingual candidate who met the requirements for the position.

Since what was really wanted was a knowledge of both official languages with fluency in French, the Commissioner recommended that a revised advertisement should be inserted in all newspapers that carried the original advertisement. The new one should make it plain that both languages were required for the work, and indicate to what degree.

The Commissioner also recommended that the advertisement itself should be bilingual or in the language of the publication in which it appeared.

The Corporation revised its advertisement to indicate clearly the language requirements of the position. The new advertisement was placed in all newspapers in which the original had appeared. The Corporation also reminded its regional directors to take account of the Official Languages Act when advertising positions.

#### *File No. 1735—Information Kit*

A complainant who had received an information kit from the Corporation informed the Commissioner that three of the four documents in the kit were in English only.

The Corporation said that the documents had been printed in both French and English. The information kit had been distributed to some 4,000 people, both French- and English-speaking, after the introduction of Bill C-133 in Parliament. It seemed that an English kit had inadvertently been mailed to a French-speaking person. The Corporation sent the Commissioner a French kit and asked him to forward it to the complainant along with its apologies.

#### CHIEF ELECTORAL OFFICER—"The Manchurian Candidate"

#### EVALUATION

*The Office of the Chief Electoral Officer showed an excellent spirit of co-operation in dealing with the complaints which the Commissioner received at the time of the October 1972 general election. In addition, the Chief Electoral Officer had taken the welcome initiative of personally consulting the Office of the Commissioner before the election with a view to preventing such complaints from occurring.*

*On the other hand, the Commissioner believes that the agency could have exercised a little more diligence in applying several of the 16 recommendations formulated in July 1972 following a special study. Indeed, the information supplied by the Office of the Chief Electoral Officer in October 1973 indicates that after more than a year, four of the recommendations were still being studied, four had been implemented unsatisfactorily and three others had been only partially implemented. The Commissioner wishes to point out, however, that despite the special situation resulting from the election on 30 October 1972 (the possibility of having to organize a new election at very short notice was a very real one), the agency had taken, or was planning to take, the necessary measures to put the remaining recommendations into effect.*

The agency informed the Commissioner that his recommendations concerning ballots, telephone service, correspondence and certain notices which the "electoral officers" send to voters had already been acted upon or would be implemented before the next general election or by-election. The measures proposed by the Office for giving effect to these recommendations are wholly satisfactory. However, final approval by the Commissioner will depend on how they are actually carried out.

The information provided by the Office concerning the other three recommendations indicates that it will be possible to implement them all together, once the measures already planned have been introduced.

The steps the Office of the Chief Electoral Officer plans to take to carry out the two recommendations dealing with notices, lists and other documents posted for public view should make it possible to reduce

considerably the risk of creating situations which would violate the Official Languages Act, especially when the agency has succeeded in solving the difficult problem of translation required at election time in the various constituencies.

Moreover, regarding the choice of printer by the returning officers, the Chief Electoral Officer agreed to issue directives for the next election which would take the Commissioner's recommendation into account. The Chief Electoral Officer mentioned, however, that it was difficult in some cases to find printers with equipment capable of printing French texts properly. While recognizing that this is a genuine problem, the Commissioner is of the opinion that precautions must definitely be taken to ensure that the equality of status of the two languages is respected (which would not be the case if, for example, there were no accents in the French text).

The measures the agency plans to take in order to put four of the recommendations into effect are inadequate; these are the two recommendations concerning "electoral officers" working in constituencies considered bilingual and two others aimed at amending two sections of the Canada Elections Act.

The Commissioner had formulated the first two after noting that the suggestions made to the returning officers in the bilingual constituencies concerning recruitment by the Chief Electoral Officer before the 1972 election omitted certain elements or lacked precision. In reply, the Chief Electoral Officer said that he intended to "ask the returning officers in the constituencies in question to make a greater effort to reach a point which would come closer to meeting the requirements of the Official Languages Act". This initiative falls far short of the aim of the two recommendations, namely that precise and complete information be given to the returning officers concerned.

The Chief Electoral Officer informed the Commissioner that he would submit the other two recommendations to the "Standing Committee on Privileges and Elections, when it meets to make amendments to the Canada Elections Act". However, the Commissioner had asked the Chief Electoral Officer to propose the desired amendments "to the Speaker of the House of Commons as soon as possible". Although the action proposed by this agency would make it possible eventually to achieve the objective of the two recommendations, the Commissioner is of the opinion that the procedure chosen is likely to delay study of the question *sine die*.

Finally, nothing has been planned regarding four other recommendations, since the Chief Electoral Officer wishes to study them in greater depth before implementing them. These are the recommendations concerning communications with the public at the polling stations in certain constituencies, directives the Chief Electoral Officer should



send to the special returning officers, candidates for the positions of Special Deputy Returning Officer and the suggested amendment to the Canada Elections Act authorizing the Chief Electoral Officer to pass on to the "electoral officers" the instructions he considers necessary for respecting the Official Languages Act. Yet these recommendations, and particularly the last one, are important, since if implemented with care they would better enable the Chief Electoral Officer to avoid situations which violate the Act. The Commissioner therefore intends to continue monitoring the implementation of his recommendations and to comment on the results in his next Annual Report.

The investigation of the 17 complaints received did not in general result in recommendations concerning the management of the elections, since the appropriate recommendations had already been formulated as part of the special study. However, the Commissioner drew each complaint to the Chief Electoral Officer's attention and requested him for his comments on circumstances described by the complainants. The Chief Electoral Officer subsequently asked for information from returning officers in the constituencies concerned and sent his findings to the Commissioner.

### *SPECIAL STUDY*

The Commissioner's purpose in undertaking this study in April 1972, following consultations with the Chief Electoral Officer at the latter's invitation, was to examine the services provided during elections by the Office of the Chief Electoral Officer and to indicate, if necessary, corrective measures to be taken in the preparation of general elections and by-elections to make them conform to the Official Languages Act.

The study dealt with the preparations then being made for the general elections which, it was generally assumed, would take place in the near future. As will be recalled, they were held in October 1972.

The study team first defined those aspects of the activities of the Office of the Chief Electoral Officer which brought it into contact with the public. Six areas were identified for research: posters and notices, forms and stationery items, telephone service, correspondence, direct dealings between the public and election officers, and information and publicity.

For the purposes of the study, the word *public* was interpreted in its broadest sense. Public thus included not only the general population and the electorate (including members of the armed forces and employees of the federal government stationed abroad, in their capacity as electors) but also the candidates and their various representatives and agents.

The Canada Elections Act governs the conduct of federal elections and the activities of the Office of the Chief Electoral Officer. Administratively speaking, it gives the Office a character of its own. From Ottawa, the Office organizes and supervises general elections and by-elections throughout Canada and in electoral districts located abroad. However, in contrast to those of most federal institutions, its activities covering a vast geographical area are conducted without the help of regional offices. The structures established in the various electoral districts enjoy relative autonomy, and the Chief Electoral Officer can intervene with the election officers only within the limits prescribed by the Act.

At the time of the study, the Office's headquarters had 25 permanent employees, eight of whom had regular contact with the public and were bilingual. During elections, varying numbers of temporary employees are recruited but they do not come into direct contact with the public. It is mainly at the level of the electoral district, revisal districts and special polling areas that contact is maintained between election officers and the public. In the 264 electoral districts, more than 220,000 election officers are at work during an election. Procedures for selecting and appointing election officers are actively influenced and controlled by political groups but scarcely at all by the Chief Electoral Officer.

In the case of the 1972 elections, the Chief Electoral Officer determined in which electoral districts the requirements of the Official Languages Act should be applied. He decided that electoral districts in which one of the two official languages is the mother tongue of at least 5 per cent of the enumerated population would be designated as bilingual. On the basis of the results of the 1971 Census, 89 electoral districts were considered bilingual, and 175 unilingual. During the election, approximately 70,000 election officers would work in the bilingual districts.

In addition, the Chief Electoral Officer issued to all returning officers a memorandum dated 1 May 1972, dealing with the use of the two official languages in the conduct of elections. This memorandum was issued in different editions to both unilingual and bilingual electoral districts. The memorandum dealing with bilingual districts was on the whole appropriate, but still contained certain shortcomings and omissions.

As regards posters, notices and forms, the study group discovered certain omissions which the Office of the Chief Electoral Officer should be able to remedy easily.

One aspect of the preparation and production of posters deserves mention. Most posters are printed in the constituencies on the basis of models prepared by the Office of the Chief Electoral Officer. The Elections Act gives returning officers the responsibility for choosing printers to do the work. This arrangement would not appear however to guar-

antee impeccable printing in both languages, since the printers selected are not always adequately equipped to work in both English and French. Greater vigilance should be devoted to this potential source of difficulty. The Elections Act might have to be altered to remedy this situation.

Examination of the stationery items—writing paper, envelopes, compliment slips of the Chief Electoral Officer, visiting cards—submitted to the study group revealed that these items were impeccable from the point of view of the Official Languages Act.

With respect to contacts — oral and written — between the Office of the Chief Electoral Officer and the regional election offices on the one hand and the public on the other, the study group noted that the measures taken did not, despite their positive character, always necessarily guarantee that the Act would be respected. Some aspects of the directives sent by the Chief Electoral Officer were not entirely clear or did not deal at all with a number of particular cases. For example, the study revealed the total absence of provisions for special polling areas. Within a broader perspective, the Commissioner is also concerned that Section 4 (1) of the Elections Act empowers the Chief Electoral Officer only to issue instructions relating to the execution of the Elections Act. The Commissioner believes that the Act should be amended to enable the Chief Electoral Officer to issue orders and not merely make suggestions regarding requirements resulting from the Official Languages Act.

Two other sections of the Elections Act were noted by the study group: Section 45 (19) and Rule 60 of Schedule A to Section 18. The former reads as follows:

Where a deputy returning officer does not understand the language spoken by any elector, that officer shall appoint and swear in an interpreter, who shall be the means of communication between him and the elector with reference to all matters required to enable such an elector to vote, except that, where no interpreter is found, the elector shall not be allowed to vote.

Rule 60 Schedule A to Section 18 reads as follows:

Where the language of any applicant is not understood by the revising officer, an interpreter may be sworn and may act.

Although these two provisions of the Elections Act have apparently never given rise to difficulties involving either of the official languages, the Commissioner believes that amendments should be made to forestall any situation which would contravene the Official Languages Act if these two sections were applied *stricto sensu*. It would, for example, be very embarrassing if an English- or French-speaking citizen were prevented *under Section 45* from exercising his right to vote.

Finally, examination of the preparations for the information and publicity campaign for the October 1972 election revealed that all the



proceedings apparently had been entirely in keeping with the provisions of the Official Languages Act.

In conclusion, while revealing that the Office of the Chief Electoral Officer had taken numerous steps to ensure compliance with the Official Languages Act in many respects, the study brought to light certain facts or omissions which contravened, or might have contravened, certain provisions of the Act. In order to forestall, as far as possible, any litigious situation, the Commissioner made the following 16 recommendations:

(1) that the Office of the Chief Electoral Officer print in both official languages all notices which within the framework of an election, are brought to the attention of the public;

(2) that the Office of the Chief Electoral Officer take the necessary steps in order to ensure that the following forms are posted in both official languages, with due regard to the equality of status of the English and French languages: *Notice of Rural Enumeration* (Form No. 22), *Urban Geographical Preliminary List* (Form No. 8), *Rural Preliminary List* (Form No. 24) and *Urban Alphabetical Preliminary List* (Form No. 161);

(3) that, henceforth, the Office of the Chief Electoral Officer see to it that during the election period, the printers selected by the returning officers are able to perform the work entrusted to them, without spelling or typing errors, in both official languages.

(4) that the Office of the Chief Electoral Officer see to it that, beginning with the 1972 or 1973 election, all ballot papers are printed in both official languages.

(5) that the Office of the Chief Electoral Officer see to it that all the notices sent to the voters during an election are in both official languages.

(6) that the Office of the Chief Electoral Officer set up in the bilingual electoral districts an appropriate system to ensure that henceforth election officers who send to the public bilingual notices or notifications printed on both sides fill in the side written in the language in which the addressee wishes to receive communications from federal institutions.

(7) that the Office of the Chief Electoral Officer immediately take the necessary measures so that in unilingual electoral districts, those who wish to communicate orally or in writing with the Office of the Chief Electoral Officer in the minority language (be it either English or French) of the electoral district, could, if the need arises, be served directly by the Office of the Chief Electoral Officer;

(8) that the Office of the Chief Electoral Officer forward immediately a guideline to the bilingual electoral districts returning officers asking them to ensure that the manner of identification and the form of greeting be in both official languages of Canada when their office receives a telephone call;

(9) that the Office of the Chief Electoral Officer specify immediately to returning officers of bilingual districts that their office must answer letters in the official language used by the addressees;

(10) that the Office of the Chief Electoral Officer send immediately to the special returning officers, guidelines dealing with the requirements of the Official Languages Act which returning officers themselves and their staff must respect at election time;

(11) that the Office of the Chief Electoral Officer inform persons in charge of nominating (pursuant to Section 60 of the Special Voting Rules) applicants for the positions of special deputy returning officers that it is necessary to have for these positions, persons who are able to work in both official languages;

(12) that the Office of the Chief Electoral Officer immediately advise the returning officers in bilingual electoral districts that rural enumerators must, in all polling divisions located in their constituency, be in a position to carry out their functions in both official languages of Canada;

(13) that the Office of the Chief Electoral Officer immediately inform the returning officers in bilingual electoral districts that the requirement of having a bilingual enumerator in all rural polling divisions, at least one bilingual enumerator in urban polling divisions, at least one bilingual revising officer in all revisal districts and bilingual deputy returning officers in all polling stations applies uniformly to the whole of their electoral district and not only "to areas where there is a particularly significant linguistic minority group of one or the other official language";

(14) that the Chief Electoral Office propose as soon as possible to the Speaker of the House of Commons that the Canada Elections Act be amended in such a manner as to allow the Chief Electoral Officer to issue to election officers those instructions he considers necessary to ensure that the appropriate provisions of the Official Languages Act are complied with;

(15) that the Office of the Chief Electoral Officer propose, as soon as possible, to the Speaker of the House of Commons, that the Canada Elections Act be modified in such a manner that Section 45(19) which in its present form could result in voters losing their right to vote for linguistic reasons, shall in no case apply to French- or English-speaking voters;

(16) that the Chief Electoral Officer propose, as soon as possible to the Speaker of the House, that Rule 60, Schedule A, Section 18 of the Canada Elections Act, be modified in such a manner, that English- and French-speaking voters who must deal with a revising officer, can, when the need arises, be provided with the services of an interpreter.

## COMPLAINTS

*File Nos. 1277, 1279, 1283, 1289, 1298, 1306, 1317, 1346, 1354, 1426, 1430, 1440, 1493, 1503, 1511, 1526, 1533—Various Complaints*

Numerous complaints were submitted to the Commissioner following the federal elections of 30 October 1972. Of these, 17 were investigated.

The Chief Electoral Officer had issued, on 1 May 1972, directives to all returning officers in bilingual ridings explaining the use of both official languages in the conduct of elections. Any electoral district

where the official-language minority was at least 5 per cent of the population was considered to be bilingual. The Commissioner, therefore, studied the complaints in the light of the Official Languages Act and these directives. The investigation of these complaints showed up the weaknesses of the present system when it came to providing services to the electors in the official language of their choice. These deficiencies, as well as a certain lack of clarity in the directives, were brought to the attention of the Chief Electoral Officer as a result of a study made by the Special Studies Service of the Commissioner's Office. That is why the Commissioner made no recommendations after the investigation of the complaints which are described in detail in the following pages.

### *1. Enumeration*

<i>Location</i>	<i>File No.</i>
Ottawa East	1277, 1511
Ottawa-Carleton	1283
Ottawa Centre	1317
Lapointe	1289
Westmount	1346
Vaudreuil	1493
Moncton	1279, 1306

The investigation of these complaints revealed that the returning officers' efforts to have the enumeration carried out in both official languages were often hampered because, in accordance with the Elections Act, the enumerators were proposed by the political parties, which are not subject to the Official Languages Act. This factor often made it difficult to apply both the Official Languages Act and the Chief Electoral Officer's recommendation that returning officers should make sure that the deputy returning officers, and in urban polling divisions one of the two enumerators, should be able to communicate with the electors in both official languages.

#### *a) Ottawa East*

- A French-speaking elector complained that both enumerators who came to his home on 11 October were unilingual English-speakers and they wanted to ask him the usual questions in English. He made them understand that he wished to be questioned in French, and they



had to leave without finishing the enumeration. When informed of this incident, the Office of Chief Electoral Officer asked the district returning officer to meet with the complainant. The enumerators then returned to the man's home with a French-speaking person who acted as interpreter.

The complainant said he was glad to have been able to vote, but he was very doubtful whether this procedure was in keeping with the spirit of the Official Languages Act. Since it is the political parties who propose the enumerators, they should be obliged to name bilingual people for electoral districts in the National Capital Region and for other districts where the percentage of the official-language minority is high enough to warrant it. He felt that it would be logical for Parliament to amend the Elections Act so that it would be in keeping with the spirit and the letter of the Official Languages Act.

- Enumerators handed a French-speaking elector a copy of Form No. 7 (Enumerators' Notice to Elector) which had been filled out in English, even though the information had been given in French.

The Chief Electoral Officer ascribed this infraction of the Official Languages Act to an error on the part of the enumerator who had filled out the form.

#### *b) Ottawa-Carleton*

Two electors reported to the Commissioner that the enumerators who came to their home were unilingual English-speakers. They added that one of the enumerators took offence when they said that they would like to have the necessary information in French.

The returning officer explained that the enumerators were unilingual English-speakers because the people living in the Alta Vista, Urbandale and Elmvale areas were able to speak English. It goes without saying that this attitude was contrary to the spirit and the letter of the Official Languages Act.

#### *c) Ottawa Centre*

A French-speaking person had to use English when he spoke with the enumerators. He was especially annoyed about the situation since he lived in a city where there was no shortage of bilingual people.

#### *d) Lapointe*

An English-speaking elector complained that the two enumerators who came to her home were unilingual French-speakers, and that she

had to translate for a neighbour who was unable to give them the information required in order to have her name registered on the lists of electors.

The returning officer stated that he thought he had taken all necessary precautions by appointing the ex-manager of an English-language business as an enumerator. Presuming that this person knew English, he had not seen any need to check his linguistic qualifications. He added, however, that because of the small minority of English-speakers in Lapointe, it was not considered a bilingual district.

e) *Westmount*

A reporter from *Le Devoir* complained about the unilingualism of the enumerators in this district.

According to the returning officer, there were apparently not enough bilingual people or unilingual French-speakers on the lists proposed by the political parties to give each team at least one enumerator who could communicate in French.

f) *Vaudreuil*

One elector in this district was surprised to find that both enumerators who came to his home were unilingual English-speakers. The returning officer said he regretted this incident and added that, when the enumerators were chosen, these two had said they were bilingual and had been taken at their word.

g) *Moncton*

- An indignant French-speaker from Moncton wrote a letter to *L'Evangéline* complaining that the enumerators who came to his home were unilingual English-speakers. He refused to give them the usual information, so they returned half an hour later with a bilingual person. Immediately after enumerating the complainant, the bilingual person went back to the returning officer's office, and the other French-speakers on that street had to be enumerated in English.

- Another French-speaking person from Moncton reported that the enumerators who came to his home were unilingual English-speakers.

According to the returning officer for this district, the political parties did not provide enough people who spoke French to give each team an enumerator who could express himself in that language.

## *2. Name, Address and Occupation of French-Speaking Electors Registered in English on the Lists of Electors*

<i>Location</i>	<i>File No.</i>
Sudbury	1298, 1430, 1354
Ottawa-Carleton	1283
Ottawa Centre	1317
Westmount	1346
Dollard	1440
Fredericton	1526
South Western Nova	1426

In his directives to the returning officers in bilingual ridings, the Chief Electoral Officer specified that information concerning the name, address and occupation of electors should be printed in the same form as it was given to the enumerators and in which they have indicated it on the lists they prepared. Only one of these complaints came from a unilingual riding, Fredericton. In the other cases, the registrations on the lists should have been in the language used by the elector when he was enumerated.

In Sudbury, the returning officer explained that he had neglected to inform the enumerators of these directives.

In Ottawa-Carleton, Ottawa Centre and Westmount, the shortage of enumerators with a sufficient knowledge of French explains why information was written down in English even in the case of French-speaking electors.

In Dollard, the returning officer made certain that he would be able to offer services to the electors in both languages by asking the political parties to choose bilingual enumerators. Even so, he still found that one list was typed entirely in English in a subdivision where there had been a French-speaking and an English-speaking enumerator.

In South Western Nova, the returning officer apparently believed, mistakenly, that the electors in that area were more familiar with the language of Shakespeare than with that of Voltaire.

## *3. Services to the Public*

### *a) Sudbury*

*File No. 1354*

The complainant reported to the Commissioner that there was only one bilingual person employed by the office of the returning officer. The



officer explained that he had thought, in all honesty, that one person who could speak French would be enough to answer requests for information by the French-speaking public. This person usually did answer the telephone, and did so in French when necessary. As far as the translation of certain election documents went, the returning officer apparently hired another person who knew French to do this work.

*b) Grenville-Carleton*

*File No. 1503*

An elector went to polling station 281 on 30 October. No one there was able to answer him in French, and he was forced, as he put it, to "pronounce his words as distinctly as an actor" in order to make himself understood. The deputy returning officer tried to translate what he was saying, smiling all the while. And to complete the outrage, this person apparently thanked him at first in English, then caught himself and said: "Merci", adding: "You see, I am bilingual". The complainant found it hard to see the humour of it. In this case, neither the Official Languages Act nor the directives from the Chief Electoral Officer had been respected. The people responsible for this incident were taken to task by the Chief Electoral Officer.

*c) Ottawa East*

*File No. 1533*

A French-speaking elector received an envelope (Form 140) which was addressed in English and bore the unilingual English stamp of the electoral district.

As a result of his complaint the Chief Electoral Officer decided to provide the returning officers in bilingual ridings with stamps that identified their districts in both official languages.

## COMMISSIONER OF OFFICIAL LANGUAGES

### COMPLAINT

*File No. 1202—Stamp*

A French-speaking person lodged a complaint against the Office of the Commissioner for using a unilingual English-language stamp to mark information on an envelope sent out by the Office.

The Commissioner explained to the complainant that the Office had a set of stamps in each language, and these were used in the following way: where the address appears in French, the French stamp is

used, and where the address is in English, the English one is used. Since the complainant's note was written in English, the envelope sent him was addressed in that language, and the English stamp was used.

To avoid future misunderstandings, the Commissioner decided that his Office would now use bilingual stamps.

## COMMUNICATIONS—"The Loneliness of the Long Distance Runner"

### EVALUATION

*Of the 17 complaints the Commissioner received against the Department in the last three fiscal years, 13 were registered in 1972-73. Complainants rightly wished operators at government information numbers to provide bilingual service and to have local telephone directories list federal agencies in both English and French. The Department settled the complaints effectively. It also reported that a number of activities were underway towards implementing the Official Languages Act.*

The Department of Communications informed the Commissioner, in response to a questionnaire, that it had begun to implement an official languages programme during the summer of 1969 and the completion date was tentatively set for 1978 in keeping with recent Treasury Board directives. The purpose of the programme was to ensure that members of the public could obtain available services in both official languages and to permit public servants to use either French or English in their work. Responsibility for the programme was centralized and vested in the Director of the Bilingualism Programmes Branch.

To ensure orderly implementation of the programme, this Branch had created a number of coordinator positions dealing with language training, terminological research, language monitors and text revisions. The Department also stated that it had organized a number of complementary activities such as cultural exchange programmes and temporary assignments of language school graduates to work in milieux where they could use their newly acquired skills. The Department had also created 17 French-language units in Quebec and five in Ottawa.

The Department believed it could serve the public in either official language, as required. It said signs were bilingual, publications were available in French and English, and the Department used French- and English-language news media as required to reach its public.

Internal documents and memoranda addressed to employees were stated to be bilingual. The Department also expected to complete the translation of manuals during the 1973-74 fiscal year. Training and development courses were apparently available in either official language.

The Department recognized that there were some shortcomings in its efforts to extend the use of French as a language of work, but held that progress was relentless and sure.

## COMPLAINTS

### *File Nos. 1064, 1515—Telephone Directory*

- A French-speaking employee of a federal institution in Winnipeg complained that the federal government directory for the Winnipeg region was printed in English only.

The Department informed the Commissioner that the new directory, scheduled for publication in May 1973, would be bilingual. Furthermore, all telephone directories for which the Government Telecommunications Agency is responsible would, in future, reflect the bilingual nature of the country.

- A complainant objected to the fact that the Department had listed the various time zones in English only in the 1971 and 1972 Spring versions of the Government Directory for the National Capital Region.

The Department agreed to change the format in order to have a completely bilingual listing. Since printing of the Winter 1972 edition was already in process, the proposed changes would appear in the Spring 1973 version of the Directory.

### *File Nos. 1425, 1543, 1835—Telephones*

- An English-speaking complainant alleged that when she telephoned the Government of Canada exchange, 232-8211, to obtain certain information the operator answered in French only; she later spoke English to the caller but was very rude and finally closed the line before the complainant had finished her conversation.

The Department discussed the matter with officials of the Government Telecommunications Agency and Bell Canada, which is responsible for the operation of the Ottawa switchboard complex.

Bell Canada supervisory staff interviewed the operators and reminded them that each and every incoming call must be handled in accordance with written instructions requiring all calls to be answered in both English and French. Furthermore, officials of the Government Telecommunications Agency, in conjunction with Bell Canada, arranged a retraining programme of standard answering phrases and rules of courtesy for the operators at the Ottawa switchboard complex.

- A complainant reported that he had had difficulty in obtaining information in French when he called 985-5454, the number of the government telephone service in Winnipeg.



While investigating a similar complaint in February 1972 concerning another Canadian city, the Office of the Commissioner had carried out tests to see whether it was possible to make telephone calls in French in the following cities: Halifax, Toronto, London, Ottawa, Moncton, Winnipeg and Vancouver. Each test revealed that it was indeed possible to do so.

The Commissioner nevertheless recommended that the Department:

- 1) clearly instruct unilingual operators to transfer any call in French automatically to a bilingual colleague without the caller's having to insist;
- 2) ask unilingual English-speaking operators to refrain from speaking to French-speaking clients in English, since service should automatically be provided in the official language of the caller;
- 3) pursue its efforts to set up a means of communication which would allow French-speaking callers to place their calls in their own language in all cities where the service is not yet bilingual; and
- 4) make sure that the delay is as short as possible.

The Department accepted all these recommendations.

With regard to the government service in Winnipeg in particular, the Department informed the Commissioner that the Manitoba Telephone System was providing this service on behalf of the federal government. The contract between this company and the government called for a bilingual operator to be stationed at the switchboard or available nearby. Representatives from the Department visited the offices and confirmed that the measures taken by the Manitoba Telephone System ensured adequate service to the public in French. The Department was also making spot checks to see whether switchboard operators in cities such as Winnipeg were following the procedures recommended by the Commissioner.

- A French-speaking complainant wanted assistance in finding the telephone numbers of government offices in London and Hamilton. He called the government information numbers in each of these cities, but was unable to get a reply in French.

The Department made a number of test calls to the two exchanges. The London operators followed the proper procedure, transferring the call immediately to a bilingual operator. The Hamilton operators, however, did not do so. The Department took steps to correct this.

#### *File No. 1729—Security Officer*

When a complainant went to the Department's reception area in the Vanguard Building in Ottawa, the security officer was unable to answer him in French.

The Department explained that it had had difficulty in setting up a security service that would be both effective and bilingual. When the Department opened its offices in the Vanguard Building it could not get any officers from the Canadian Corps of Commissionaires and therefore had to engage the services of a private agency. To minimize contacts between guards and visitors, it had placed signs containing appropriate information in both official languages at the entrance to its offices.

The Commissioner recommended that the Department take the necessary steps to offer service to visitors in the official language of their choice at all times. If it proved impossible to recruit bilingual guards, the Department should ensure that one of its bilingual employees was available to supply information in both official languages.

The Department agreed to adopt the Commissioner's recommendations.

#### *File Nos. 1158, 1199, 1592—Notice of Competition*

- Two French-speaking persons, one from Quebec and the other from Manitoba, complained that the Department had listed only a knowledge of English as the language requirement in a notice of competition for the position of Librarian with the head office in Ottawa. They protested against this injustice and against the fact that the notice was printed only in English.

After the Commissioner intervened, a new bilingual notice was printed which gave knowledge and use of both French and English as a requirement for the position.

- A French-speaker wrote to the Commissioner about a notice of competition for the position of Director, Telecommunications Standards Branch. He alleged that a first notice which stipulated that a knowledge of both English and French was a requirement for the position had later been withdrawn and replaced with another which listed a knowledge of English as the only language requirement.

The Department explained that there were very few eligible candidates for the position, owing to the high degree of specialization and experience required. A search through the Data Stream Record showed that the competition would have to be opened to unilingual English-speaking persons in order to ensure a sufficient number of candidates possessing the necessary professional qualifications.

Since the Department had stated at first that the position required someone with a knowledge of both languages, the Commissioner recommended that the competition be opened to both unilingual French-speakers and unilingual English-speakers.

The Department replied that a thorough knowledge of English was essential for day-to-day work in the office, and that the use of French was limited to occasional reading of reports.

Meanwhile, the Department offered the position to a unilingual English-speaking candidate. Faced with this *fait accompli*, the Commissioner recommended that the Department provide French courses for the new director.

#### *File Nos. 1151, 1597—Fair Treatment for Women*

Several people, including an incensed male, criticized the Department for almost always listing the marital status and title of French-speaking women in English in the bilingual lists in the first section of the federal government's Summer 1972 directory for the National Capital Region.

The Department admitted that the complaints that had been brought to its attention by the Commissioner were well founded. In fact, of the 2,000 French-sounding feminine names, only 8.5 per cent were designated "Mlle" or "Mme". To ensure that the marital status and title of female employees would be properly indicated in the official language of their choice, the Department, at the Commissioner's request, asked all personnel directors of institutions listed in the directory to have their employees indicate their preference on this point. The necessary modifications were to be made in the Winter 1972 directory.

## COMPANY OF YOUNG CANADIANS

### COMPLAINT

#### *File No. 694—Form*

A French-speaker complained that the Company had sent him a deductions form in English only.

The Company informed the Commissioner that the form had been redesigned and made bilingual.

## CONSUMER AND CORPORATE AFFAIRS—"The Shop on Main Street"

### EVALUATION

*Of the ten complaints the Commissioner received against this Department, two called for recommendations. One concerned the*



*Department's correspondence with a French-speaker and the other cited absence of bilingual service in Regina. The Department reacted to these complaints positively.*

*Among various measures it had taken, the Department's attractive policy document for its employees, and a specially designed language course for secretaries and receptionists, underscored its constructive approach.*

The Department informed the Commissioner that because of its customer-oriented philosophy, in 1968 it began using both English and French in dealings with the public. When the Official Languages Act came into effect, the Department intensified its efforts to using the two languages on an equal basis. In January 1972, it brought out a booklet on bilingualism titled "Oui-Yes". This document would presumably be amended early in 1974 to reflect the Treasury Board guidelines of 29 June 1973.

The Department, like many other federal institutions in November 1973, was engaged in identifying linguistic requirements of positions. It intends to use, as a matter of routine, the two official languages equally within its administration and in serving the public. It stated that despite progress made so far, "much is left to be done", and expected to achieve both aims by 1977.

Responsibility for implementing the Official Languages Programme, the Department said, rests with the Director of Personnel at headquarters. Although this responsibility is not delegated to the field, it is implemented in co-operation with the Assistant Deputy Minister, Field Operation Services.

The progress of the field offices towards attaining the departmental objectives on bilingualism is "closely monitored", and the Department said that officials visit the field offices "on a spot basis". The implementation programme, is evaluated yearly and reviewed by the Executive Committee.

The Department reported that nearly all signs and notices are bilingual; it was taking steps to render bilingual the remaining unilingual ones. It indicated further that forms and other printed materials are published in both official languages. In addition, the Department was (as of November 1973) proceeding to publish the Patent Office Record and the Trade Marks Journal in English and French.

As examples of equal use of English and French internally, the Department cited that existing manuals were being translated and new ones were being published simultaneously in both official languages. Staff-development courses, with one exception were given in both English and French. Of its seven French-language units, three are in the province of Quebec and four in Ottawa. The Department said it planned to

review the achievement and organization of these units and to explore the possibility of forming new ones in 1974.

In addition to using language training facilities provided by the Public Service Commission's Language Bureau and other accredited schools, the Department has set up an "in-house" language training programme for "key personnel who are unable to leave their place of work for extended periods of time". It has also established a short and simple language course for receptionists and secretaries "which should enable them to answer simple questions in French". The Department has also created a text revision service to encourage a wider use of French among its staff. The standard of written communications is said to be improving through courses given to employees in administrative writing in English and French. The Department uses monitors to help employees retain and improve their proficiency in the second official language. Finally, the Department stated that it placed more emphasis on hiring French-speaking staff "whenever feasible".

## COMPLAINTS

### *File No. 1013—Patents*

A Montreal inventor holding an American patent wished to obtain his Canadian patent in French. He complained that the Patent and Copyright Office had refused to translate into French the description of specifications that he had submitted in English.

According to the regulations, an applicant for a patent must enclose a description of specifications written entirely in English or French with his application. Thus the inventor can describe his invention in the official language of his choice. Once a patent is granted, it is published in the Patent Office *Gazette* in the language in which the application was submitted. The patent certificate is then issued to the inventor in the same language.

The Commissioner decided that the procedure adopted by the Patent Office was in accordance with the Official Languages Act.

### *File No. 1047—Sudbury*

Several French-speakers criticized the Department because they had been unable to receive service in French at its Regional Office in Sudbury and had been insulted by an employee, who did not respect their right to address the federal government in the official language of their choice.

The Department explained that the employee responsible for the incident had been unable to adapt to working conditions in the office

in question and had left his position; a bilingual person had been recruited to take his place. The Department regretted this incident and asked the Commissioner to convey its apologies to the complainants.

*File No. 1067—Regina*

A French-speaking person was unable to obtain service in French at the Regional Office in Regina.

The Department said that in its opinion there was not sufficient demand to justify the offer of French services at this office, which was not situated in a proposed bilingual district. It added that one of the twenty-eight employees was bilingual and that services in French could have been provided if he had been there at the time. The Department stated that it intended to provide the best service possible to the public, but that it did not want to anticipate a government decision on bilingual districts.

The Commissioner was of the opinion that the Department should undertake a more pragmatic assessment of the demand by offering at least a minimum of bilingual services, since demand for services could only be considered in relation to their availability. He therefore recommended that:

- 1) the office recognize that the mere fact of speaking French constituted a demand for services in French and that employees should answer with a courteous phrase such as “Un instant, s’il vous plaît” and look for the bilingual employee;
- 2) posters and signs for the information of the public should be bilingual; and
- 3) the Department should offer employees who deal with the public the opportunity to take language courses.

The Department informed the Commissioner that on 19 April 1973 the Regional Office for the Prairies, in Winnipeg, issued a directive to all Regina supervisors, asking them to make sure that all unilingual employees were informed of the procedure for handling requests made in French. He assured the Commissioner that in future such requests would be passed along to bilingual personnel on duty. Furthermore, a bilingual sign would soon be put up at the entrance to the building to provide information to the public. Finally, the Department was continuing to encourage its employees in Regina to take language courses.

*File No. 1302—Altercation*

The complainant witnessed a dispute late one afternoon between a unilingual English-speaking commissionaire and a French-speaking



woman who, apparently, was reporting for work at the Department in Ottawa. He stated that the commissionaire was very rude to this woman who did not understand English well. The complainant, who spoke a little French, tried to act as interpreter but the commissionaire remained belligerent.

The Department told the Commissioner that the complaint was justified. The incident described was the last in a series that had occurred that afternoon because the commissionaire was impaired by alcohol. The Corps of Commissionaires later discharged him.

#### *File No. 1690—Precedence Given to English*

A complainant pointed out that in the French edition of a departmental publication the federal symbol was shown with the Department's name in both official languages, but that precedence was given to English.

In accordance with the Federal Identity Programme, federal agencies print the symbol on all official documents in order to stress the bilingual character of federal services. The Commissioner expressed the opinion that, far from contravening the Act, this policy respected the equal status of both official languages.

#### *File No. 1718—Bilingual Positions*

The complainant alleged that in the reorganization of the Standards Branch proper consideration was not being given to the need for serving the public in both official languages.

The Department told the Commissioner that some positions in the new organization would be identified as bilingual in accordance with the latest Treasury Board directives. The Department intended to increase the bilingual capability of the Branch through language training and the recruitment of French-speaking personnel.

## ECONOMIC COUNCIL OF CANADA

### COMPLAINT

#### *File No. 1774—Documents in English*

A French-speaking person from Toronto was surprised that some Council studies quoted in its annual report were not available in French. He wondered how French-speakers could become interested in the economy of their country when such source documents were not issued in their language.

The Council explained that all its publications were distributed by Information Canada in both official languages. Since 1963 only 11 studies out of a total of 111 had not been translated into French, because of their technical nature and the difficulty of having them translated within a reasonable period of time.

The studies mentioned by the complainant had been reproduced in the language of the author as they were considered to be working documents.

## ENERGY, MINES AND RESOURCES—"The Gold Rush"

### EVALUATION

*In three years the Commissioner investigated seven complaints concerning violations of the Act. The Department co-operated by taking steps to rectify the situations which gave rise to the complaints, and the Commissioner was generally satisfied with this co-operation. The Department informed the Commissioner that despite its limited contact with the public, it has set machinery in motion to implement the Act, and apparently it is not resourceless merely because there is an energy crisis.*

According to the information the Department sent the Commissioner in response to his questionnaire, the divisions responsible for answering enquiries from the public (the Public Relations Division in Quebec City and the Surveys and Mapping Branch in Ottawa) have a sufficient number of bilingual employees to serve the public in both official languages.

The Department also informed the Commissioner of the steps it had taken to ensure implementation of the principles stated in the Act and those outlined in the Treasury Board circular 1971-21. The Department had a number of mechanisms for facilitating the implementation of its bilingualism and biculturalism programmes: a task force to identify bilingual positions, a committee to translate manuals, French-language units, French language monitors, a bilingualism information centre, a programme providing a year in Quebec City for its middle-management staff and a special summer employment project for students. Although on the one hand the Department affirmed that it could satisfy the institutional bilingualism requirements for services to the public, it also said that realization of this same objective regarding personnel services, supervision and evaluation will require a great deal of work over a long period involving recruitment and language training.

## COMPLAINTS

### *File No. 1167—Stamps*

A French-speaking Montrealer received from the Department an envelope on which the return address, EARTH PHYSICS BRANCH, was in English only.

The Earth Physics Branch took the necessary steps to replace the stamps which had occasioned the complaint with bilingual ones. The Department made sure at the same time that no other branch was using unilingual stamps.

### *File No. 1557—Memorandum*

An employee of the Department complained that he had received a memorandum about Christmas leave written in English only.

The Department said that this memorandum was addressed to the senior assistant deputy minister, the assistant deputy ministers, the branch directors and the division chiefs for their information, and was not meant to be distributed as such to the other employees. The Department regretted that it had not been accompanied by a French version.

Following the Commissioner's intervention, the Department asked the branch director who had circulated this unilingual memorandum to take the necessary steps to ensure that incidents of this nature did not recur.

### *File No. 1577—Order Form*

The complainant criticized the Department for issuing only in English an order form for publications on aeronautics.

The Department explained that the preparation and revision of the publications listed on the order form were the responsibility of the Ministry of Transport, but that their distribution was the responsibility of the Canada Map Office. This Office had undertaken to revise its distribution procedures in order to conform to the Official Languages Act. Moreover, the Department had ordered preparation of a bilingual order form.

### *File No. 1664—Stamps*

A French-speaker pointed out that the Department used unilingual stamps at the National Air Photo Library in Ottawa.

The Department had the stamps in question ("Parcel Post" and "NAPL Reproduction Centre") replaced by bilingual ones.



## ENVIRONMENT—"The Good Earth"

### EVALUATION

*Considering that in May 1973, 88.9 per cent of the employees in the Department of the Environment were unilingual English-speaking, the Commissioner considers that this Department's performance with respect to complaints and to the recommendations arising from two special studies he made during the 1971-72 fiscal year was fairly good. However, the Commissioner is of the opinion that much remains to be done in the area of bilingualism throughout the Department. He hopes that the new bilingualism policy put out by the Deputy Minister in June 1973 and addressed to all the Department's employees will stimulate further action.*

*The Department settled most of the complaints to the Commissioner's satisfaction without his having to make specific recommendations. In the few cases where recommendations were made, the Department took the required steps to implement them.*

*Information contained in a report from the Department and dated October 1973 enabled the Commissioner to take note of the Department's numerous achievements in implementing the 45 recommendations contained in the special study on the Atmospheric Environment Service. The Department generally acted quickly in correcting the problems mentioned in the Commissioner's report, although further efforts would still be required to give effect to the recommendations that had not yet been carried out or were only partially applied.*

*However, the Department's efforts in applying the recommendations resulting from the special study on the Moncton district office were rather timorous. The information obtained revealed that four of the nine recommendations had been applied as of last October. Improvements had been made, but only to visual aspects. The Commissioner understands the administrative difficulties invoked by the Department, but they must be surmounted if the organization wishes to provide service in the Moncton area in conformity with the Act.*

*The study on the Moncton district office, made during the summer of 1972, dealt with both visual bilingualism (two recommendations) and service to the public (seven recommendations). The Department reported last October that one of the recommendations concerning the visual aspect had been applied, but with a certain amount of delay. The Commissioner had asked the Department to make the signs identifying the office in question bilingual by 31 December 1972. The other recommendation concerning the visual aspect required that the Department make the identification on caps and uniforms bilingual. The Department has not yet implemented this scarcely revolutionary recommendation; it is waiting for government directives to this effect.*

Three recommendations concerning forms, stamps and correspondence have been implemented. The three concerning bilingual telephone service had not yet been put into effect in October. According to the Department, the lack of permanent bilingual personnel in the Moncton office makes it impossible to implement these recommendations. In view of the possible solutions provided by Treasury Board's new policy on bilingual positions, it would appear that the Department has not studied all the means of ensuring that telephone service be provided in both official languages. In the meantime, the Department is clearly violating the Act on this rather elementary point.

The recommendation requiring that bilingual service be provided in Albert county in New Brunswick is in abeyance. The Department maintains that there are very few French-speakers in Albert county and that, in any case, these services will shortly be centralized in Moncton. The Commissioner hopes that "shortly" is not a synonym for in the indefinite future.

The other study made by the Commissioner's office aimed to evaluate the efforts of the Atmospheric Environment Service headquarters to comply with the Act and was completed in March 1972. In it the Commissioner formulated 45 recommendations concerning signs, public relations, weather forecasts, translation, personnel, language and training courses, recruitment and the creation of French-language units.

The Department said that it had implemented the recommendations relating to signs, printed matter, public relations, translation, staff development courses, second language retention and recruitment designed to make better use of French-speaking resources in the community.

The Department informed the Commissioner that the seven recommendations relating to recruitment, training and assignment of bilingual personnel to provide service to the public in the official language of its choice were being put into effect.

Ten recommendations have been partially implemented, or will be put into effect even though the deadlines have not been respected. The Commissioner had recommended that weather bulletins be broadcast in both languages in the major weather offices and in places where there is a sizeable official language minority. The Department accepted these recommendations in principle. Owing to the lack of bilingual personnel, however, it was unable to conform to them in the West, that is, west of Thunder Bay. However, it undertook to do so by 31 December 1975 at the latest. The Commissioner hopes that in the meantime French-speakers in the area not served will not have their summer picnics spoiled by unexpected snowfalls. Finally, the recommendation dealing with the internal newsletter *Zephyr* has not been applied. The Commissioner's office had asked that the newsletter be produced completely in both

official languages. An examination of a number of copies revealed that only a limited number of articles had been translated into or written in French.

Of the 22 complaints settled between 1 April 1970 and 31 March 1973, 17 were justified. Most dealt with the language of service (lack of services in French—books, circulars, brochures, questionnaires, stamps, and so on, in English only). In all cases where the complaints concerned language of service, the Department made an effort, following the Commissioner's intervention, to rectify the situation as soon as possible. The translation into French of certain publications, in particular *Native Trees of Canada*, took a fairly long time. By way of explanation, the Department cited—sometimes a little too glibly—the technical nature of the works. The Department recently revised its policy on the translation and publication of documents made available to the public. The Department's new bilingualism policy provides, among other things, that publications issued by the Department and addressed to the public should as a general rule be prepared and published in both official languages simultaneously.

Three of the complaints concerned the language of work and staff development courses given in French at the Atmospheric Environment Service office in Montreal. Although the departmental authorities were well-disposed toward their French-speaking employees in Montreal, these problems had nevertheless to be brought to their attention. The Commissioner made eight recommendations following his investigation of these three complaints. The Department informed the Commissioner last October that the eight recommendations had been put into effect. The Department is to be congratulated on the work it has done in this area. Perhaps, after all, where there's a will there's a way. As one is aware, some federal institutions are reluctant to broach the question of language of work and concrete solutions in this area are usually very rare.

Finally, four complaints involved the language requirements indicated in competition posters. In one of the cases, the Act had not been violated. In another one, the Commissioner had to make recommendations, which were taken into account by the Department. In the other two cases, the Department recognized that the language requirements were not appropriate and agreed to change them in order to meet the requirements of the Act.

The Commissioner has reason to believe that the Department's new bilingualism policy, if applied with care, will enable this institution not only to deal with the particular situations he brings to its attention but also to comply with the general requirements of the Act.



## *SPECIAL STUDY—FISHERIES SERVICE, MONCTON*

The aim of the study was to evaluate the availability and quality of bilingual services provided by the Fisheries Service to the public, with whom it has numerous and varied contacts. While the study focused mainly on the Moncton District Office, it also took account of the latter's branch offices in the counties of Westmorland, Kent and Albert and in a sector of Northumberland county.

In the visual domain the team observed that the Department's policy—announced in May 1970—of “bilingualizing” all signs, inscriptions, nameplates, etc., had not been fully implemented. Though all signs, on the basis of the sample provided, were bilingual, inscriptions, nameplates and insignia on uniforms were in English only. The team also noted that an inventory of these materials had not been made.

Telephone listings had been placed in relevant directories in both official languages but it was not the office's practice to identify itself orally in both languages or to provide bilingual reception service at the caller's point of initial contact.

Not all departmental publications were bilingual but those frequently in demand were. Of the 268 forms used with or by the public, only 80 per cent were bilingual. Forms existing in separate language versions were not always on hand. All communications of general interest originated in the Department's information service in Ottawa. Local press releases were drafted and issued simultaneously in both official languages.

A commendable practice was to forward information of interest to fishermen in the area to information media in the two official languages. Though it was the policy of the office to reply to correspondence in the language of the correspondent, the team uncovered, in a review of a small sample of French-language form letters, numerous mistakes in grammar and style. Nevertheless, the office possessed considerable bilingual capability. Seven out of ten permanent employees and 17 out of 21 seasonal employees were bilingual, and all six temporary employees were bilingual. Except in one case, these employees were also suitably deployed throughout the region to ensure the provision of bilingual services.

Considerable effort and goodwill were demonstrated by the office in implementing the Official Languages Act. The few weaknesses observed are reflected in the following nine recommendations:

- (1) That the Department make an inventory of all name plates and signs in the Moncton District Office and its branch offices and that these name plates and signs be bilingual by 31 December 1972.
- (2) That all insignia on caps and uniforms which the Department provides for its officers be bilingual by 31 March 1973.

(3) That henceforth the Department be identified over the telephone in both official languages of Canada in the Moncton District Office and its branch offices.

(4) That henceforth all employees performing the duties of telephone receptionist in the Moncton District Office, who are unable to reply to French callers in the latter's own language, be able at all times at least to inform a caller in his own language that his call will be referred to another employee who is able to provide service in the appropriate language.

(5) That by 31 March 1973 the Department take the steps it feels are necessary to ensure that bilingual telephone services are available at all times in the Moncton District Office.

(6) That all forms intended for the public which might be used in the Moncton District Office or its branch offices be completely bilingual by 31 March 1973.

(7) That all rubber stamps used on documents which might be seen by the public be rendered bilingual by 31 December 1972.

(8) That the Department take stock of all form letters used by the Moncton District Office to reply to correspondence, revise the linguistic quality of the texts of these letters and, by 31 October 1972, make available in the Moncton District Office form letters whose texts are acceptable.

(9) That by 31 March 1973 the Department take the necessary steps to ensure services to the required extent in both official languages in the county of Albert without jeopardizing the job security or professional advancement of employees already hired.

## COMPLAINTS

### 1. *Internal Problems*

#### *File Nos. 147, 580, 831—Language of Work*

Several French-speaking employees from Montreal stated that French does not have equal status with English at the Canadian Atmospheric Environment Service. The meteorologists requested, among other things: that employees of the Service in Quebec be allowed to work in French if they so desired; that all training courses in meteorology be given in French as well as English; that the Montreal Weather Office be made a French-language Unit as soon as possible; and that a translation office for the Service be set up in the Montreal area.

In his *Second Annual Report* (pages 172-3), the Commissioner published the Department's initial explanations concerning these complaints. During meetings held between representatives of the Department, the Commissioner's Office and the French-speaking employees of the Service, the Department described the measures it had already taken and planned to take in order to settle all these problems.

The Department began by pointing out that meteorologists in the Montreal Weather Office had been allowed to work in the official language of their choice since June 1972. It had also been decided that the Office would become a French-language Unit in the near future. Furthermore, the Department of the Secretary of State was to establish a permanent translation service in the Office before 15 November 1972.

The Department told the Commissioner that the Atmospheric Environment Service was in the process of defining a language policy for the Canadian Meteorological Centre. In principle, the Centre would be bilingual, and each employee would be entitled to work in the official language of his choice. Some services in the Atmospheric Service's headquarters organization were intensifying their efforts to make themselves capable of issuing administrative and technical directives in both official languages. To remedy the lack of technical manuals in French, the employees of the Service could themselves develop a set of procedures for the preparation of meteorological bulletins for French Canada.

Concerning training courses in French, the Department stated that, beginning in January 1973, the Atmospheric Environment Service would be giving the elementary course in meteorology in French at the Air Services Training School in Ottawa, and the Upper Air Training School in Toronto would give a course in French before April 1973.

The Atmospheric Environment Service had also begun talks with the Université du Québec in Montreal with the object of having the University give an advanced course in meteorology in French, beginning in September 1973. The course would be based on the theoretical course given in English by the Atmospheric Environment Service. The University was also studying the possibility of offering intensive courses in meteorology, lasting six months, beginning in January 1973.

After re-examining the entire question, the Commissioner recommended the following, in addition to the measures already taken by the Department:

- 1) that the Atmospheric Environment Service issue directives making it clear to all its employees working in the province of Quebec that they may work in the language of their choice;
- 2) that the Service continue its efforts to make the Montreal Weather Office a French-language Unit as soon as possible;
- 3) that all documents for general use—notices, directives, reports, manuals and so on used by the employees in performing their duties—be made available in both official languages, so that the employees may more readily work in the official language of their choice;



- 4) that all services provided to the staff be available in the official language of the employee, or in both languages;
- 5) that the services of the translation office which had been set up for the Montreal Weather Office a few months previously be made available to the Canadian Meteorological Centre and to the other offices of the Atmospheric Environment Service in Montreal;
- 6) that the Service study the possibility of requiring at least passive bilingualism for most supervisory positions in the Montreal area, and particularly those at the Canadian Meteorological Centre, to ensure that each employee may express himself verbally or in writing in the official language of his choice;
- 7) that the Service continue its efforts to give training courses in meteorology to its technical and professional staff in both English and French; and
- 8) that the Service carry on with the laudable work undertaken in co-operation with the Université du Québec in Montreal so that a complete course in meteorology may be offered in French at all university levels.

In October 1973, the Department sent the Commissioner the following report on the implementation of his recommendations:

- 1) In June 1973, it had published a document outlining the departmental bilingualism policy. Copies were distributed to all employees of the Department. The document contains the statement that, as a general rule, employees must be able to work in the official language of their choice.
- 2) The Montreal Weather Office was to become a French-language Unit in December 1973.
- 3) Several forms and manuals used by the employees in performing their duties had already been translated. The Department's new language policy also dealt with this question; in future all new forms, manuals, directives and so on would be issued in both official languages.
- 4) A personnel office had been established in Montreal, and personnel services were now available in both French and English.
- 5) The Canadian Meteorological Centre could now use the services of the translation office set up in the Montreal area.
- 6) The sixth recommendation had been implemented. Bilingual positions in the Montreal area had been identified. All supervisory positions at the Canadian Meteorological Centre were bilingual. The Department would take the necessary action to see the language requirements of these positions were met as soon as possible.

7) A basic course in meteorology had been given in French to meteorological technicians. In addition, an intensive course for professional meteorologists had been given at the Université du Québec in Montreal. These courses had since been repeated.

8) This recommendation had also been implemented. Negotiations were in progress with the Université du Québec in Montreal for the establishment of a course at the master's level.

*File Nos. 434, 857—Language Training*

- An English-speaking public servant alleged that briefing technicians at the Moncton Weather Office had been advised that they must all be proficient in both official languages by 1975, but that no language training had been provided so far for any of them. He also wondered why, in the light of the Treasury Board's stated 1975 goal of 15 per cent bilingual personnel in the technical categories of the public service, the briefing personnel of the Moncton Weather Office would be required to be 100 per cent bilingual.

Environment Canada took some time in replying to an inquiry by the Commissioner who, in the interval, met with the complainant during a tour of the Maritimes and informed him he had requested that employees of the Moncton Weather Office be given priority for second-language training. He also told the complainant that there was no contravention of the Official Languages Act in the Department's requiring 100 per cent bilingual capability.

Later, the Department advised the Commissioner that the officer in charge and all technicians on his staff at the Moncton Weather Office had been enrolled in French courses; five of them were taking the Public Service Commission courses either at the Université de Moncton or in Halifax; one was taking the 45-week Berlitz course in Moncton.

The Commissioner informed the complainant of the Department's reply.

- An employee of the Department in New Brunswick wrote to the Commissioner concerning the availability of language training to employees who lacked the required language skills for positions designated as bilingual.

The Commissioner replied that he had recently obtained a legal opinion on whether access to language training is a right under the Official Languages Act. It revealed that no government department or institution is explicitly required by the Official Languages Act to provide second-language training; accordingly, such training could not be considered a clear right under the statute.

As a matter of policy, the Commissioner concluded that the designation of bilingual positions within the federal public service was

(in March 1972) the prerogative of the Public Service Commission and of the department concerned and that he would intervene only if the results of such designation led to a complaint admissible under the Act.

After carefully studying the complainant's case, the Commissioner was obliged to conclude that neither of the factors giving rise to it, that is, the lack of opportunity for him to obtain French-language training and his disqualification from competition for a bilingual position, constituted a contravention of the Act. Accordingly, while he was prepared to refer the complainant's case unofficially to the Deputy Minister and to request that the Department reconsider its decision about the necessity of second-language training in this instance, the Commissioner informed the complainant that he could not take any official action in this matter. He suggested that the complainant continue to indicate to his Personnel Officer his desire to take French-language training.

The Commissioner reiterated his belief that second-language training should be offered to everyone who wishes it and who has a reasonable expectation of needing it to pursue all likely opportunities for a useful and fulfilling career.

#### *File Nos. 1487, 1559, 1659, 1689—Competitions*

- A public servant protested that an advertisement in the *Moncton Times* for meteorological technician trainees specified that proficiency in both French and English was essential. He claimed that such was not the case, and that the bilingual requirement closed the door to unilingual English-speaking applicants.

The complainant was informed that there was no contravention of the Official Languages Act, since the designation of bilingual posts was (in January 1973) the joint responsibility of the Treasury Board and the department concerned—in this case Environment Canada. However, the Commissioner unofficially requested the Department's comments on the complaint.

The Department replied that there was an acute need for bilingual personnel in the Moncton Weather Office: a special study of the Atmospheric Environment Service at Moncton, undertaken by the Commissioner's own Office, had brought this to the Department's attention.

Moreover, the Department would conform to government policy, as explained by the Treasury Board, according to which "competitions for bilingual positions will be opened both to bilingual candidates and to unilingual candidates who have formally indicated their willingness to become bilingual . . ." The complainant was sent a copy of the Department's reply.



- The complainant criticized the Department for requiring only a knowledge of English for two positions of Scientific Support Officer of the Atmospheric Environment Service in Moncton in the Atlantic Regional Office. He added that this Service had no bilingual capability in the Moncton area.

The Department stated that it was true that the Atmospheric Environment Service had no bilingual capability in the Atlantic Region, although a modest language-training programme had been started there. The priorities in that Service were, according to the Department, to develop its bilingual capability in the Quebec Region, to begin French-language training courses for meteorologists and meteorological technicians, and to develop a bilingual capability in those weather offices across Canada which serve bilingual districts. The Moncton Weather Office, which is in this latter category, had received top priority, and a programme of intensive language training had already been started there. The Atmospheric Environment Service planned to have 100 per cent bilingual staff in the Moncton Weather Office by 1975.

The Department stressed that these programmes had placed a severe strain on the bilingual capabilities of the whole Service and on the resources available for training and recruitment. This was particularly true in the case of meteorologists. The two positions in question required rather specialized skills. These officers would serve all of the Atlantic provinces and, in order to meet the demand of areas like Moncton, would need to be proficient in French. The Department told the Commissioner that it would make every effort to employ people with either a competent knowledge of French or a commitment to obtain it. There were then three vacancies in the Quebec Regional Office requiring the same or similar scientific qualifications. The Service was also sending meteorologists to the Université du Québec to assist with the first French-language post-graduate courses in meteorology starting in January 1973.

Under the circumstances, the Atmospheric Environment Service did not consider it appropriate to give these scientific positions in the Atlantic Region a high priority in its bilingualism programme at that time. Language training for one of the incumbents was planned to begin in 1973-74.

The Commissioner agreed that the Atlantic Regional Office and its branch, the Moncton Weather Office, should have a bilingual capability because of the areas they serve. However, he thought that this bilingual capability could be acquired, in this as in many other cases, not only by giving French language courses but also by recruiting bilingual people and by transferring bilingual employees to the offices concerned. The Commissioner therefore recommended that these offices be provided as soon as possible with sufficient bilingual staff through

the three above-mentioned means, in order to enable them to serve the public at all times in both official languages.

The Commissioner invited the Department to take this recommendation into account in every competition concerning these two offices until they had the required bilingual strength.

The Department answered that the necessary steps would be taken in order to implement the Commissioner's recommendation, taking into account the current situation in the Department and the needs existing in other regions.

- A French-speaking correspondent drew the Commissioner's attention to a competition poster indicating that only knowledge of English was required for the position of Chief of the Information Section of the Canadian Forestry Service in Ottawa.

Following the Commissioner's intervention, the Department agreed that the nature of the position called for bilingualism. For administrative reasons not related to the language requirements, the Department decided not to fill the position.

- Under the heading QUALIFICATIONS, a competition poster for positions in the Water Quality Branch stated that for positions in the Central, Western and Pacific regions knowledge of English was essential, and for those in Quebec, knowledge of both French and English was essential. A French-speaking person claimed that by requiring bilingualism in Quebec and knowledge of English only in the rest of Canada this poster did not respect the principle of equality of status for both official languages.

The Department informed the Commissioner that it had considered knowledge of both official languages essential for Quebec because the incumbent would be required to supervise employees of both language groups. However, the question was re-examined, and the Department decided to require knowledge of French only.

## *2. Service to the Public*

### *File No. 792—Prince Edward Island*

A complainant from Prince Edward Island reported that the Fisheries and Marine Service's Conservation and Protection representative in his province was a unilingual English-speaker, unable to deal in French with the fishermen on the island, most of whom were French-speaking.

After looking into the matter, the Department decided to hire a bilingual fisheries officer, and enrolled him in an intensive theoretical

and practical training course before sending him to the Charlottetown district office.

*File No. 1142—Nova Scotia*

The complainant criticized the Department for not having a bilingual fisheries officer in the Pubnico region, where the majority of the population was of Acadian origin.

The Department stated in its reply to the Commissioner that two of its branches were represented in the region, namely the Inspection and the Conservation and Protection branches. The officer assigned to Pubnico was a bilingual man whose mother tongue was French, while the inspector who went to the nine Parrington Passage plants was a bilingual Pubnico man. On the other hand, the inspector of the five Pubnico plants was a unilingual English-speaker.

The Yarmouth district office, several of whose staff members were bilingual, also served the Pubnico region. The Department assured the Commissioner that it was perfectly willing to offer inspection services in French in Pubnico, but added that until then it had not been aware that there was a demand for them.

*File Nos. 1523, 1636—Ontario*

- After visiting the Wye Marsh Wildlife Centre in July 1972, a French-speaking complainant told the Commissioner that there was no guide who could express himself in French, that the five films shown to the public were entirely in English and that the French edition of the information booklet was out of date.

The Department informed the Commissioner that in mid-July 1972 and throughout the summer there had been a bilingual naturalist on duty, as well as a student who could get by in French. Of the seven students whom the Department had hired for the summer, two had been able to serve visitors in both official languages. The Department nevertheless regretted not having been able to offer more bilingual services in the summer of 1972. It would make up for this in the summer of 1973 by trying to hire at least four bilingual students.

The Department added that one of the five films shown in English in 1972 was also available in French. Since showings of the French version were made only upon request, the Department had posted a sign inviting the public to ask about audio-visual presentations in that language. In the 1973 season, the Department planned to show four films in English and three in French. At the time the complaint was being investigated, the Department was trying to have the fourth film translated into French.



Finally, the Department admitted that the Centre's hours as given in the French booklet distributed in 1972 were indeed no longer in effect. The same error had occurred in the English booklet but it had been corrected. The error in the French version would be corrected in the 1973 edition.

The Commissioner expressed his satisfaction that after receiving the complaint the Department had decided to improve services to the French-speaking public, beginning the next tourist season. He pointed out to the Department, however, that it was important for the public to be made aware that guided tours and audio-visual programmes were available in French, and advised it to make sure this was done.

At the end of the summer of 1973, the Department informed the Commissioner that three of the five students hired for the season were bilingual, that all four films had been shown in both French and English and that the errors in the booklet had been corrected.

- A French-speaking complainant alleged that at the Sudbury Airport there was a unilingual English sign which read: "The weather forecast by Environment Canada—A.E.S. Sudbury Weather Office".

The Department informed the Commissioner that the sign had been removed and replaced by a bilingual one.

#### *File Nos. 972, 1733—Correspondence*

- A French-speaking person complained that he had received a United Nations document from the Department in English, accompanied by a letter also in English, even though he had made his request in French.

The Department informed the Commissioner that the document had been sent to the complainant in English by mistake, the Department's policy being to make sure that the public is always served in the language of its choice. The Department asked the Commissioner to kindly convey its apologies to the complainant.

- A French-speaker criticized the Department for having sent him a document in an envelope stamped: "Wye Wildlife Centre, Canadian Wildlife Service, Box 100, Midland, Ontario", in one language.

The Department informed the Commissioner that this stamp would be replaced with a bilingual one and that the French would read: "Le Centre d'Histoire Naturelle du Marais Wye, Service canadien de la Faune, Case postale 100, Midland, Ontario".

#### *File Nos. 1145, 1539—Publications*

- A French-speaking correspondent criticized the Department for having published the booklet entitled *Felling and Bucking Hardwoods—How to Improve Your Profit* in English only.

The Department informed the Commissioner that this booklet had been published by the Eastern Forest Products Laboratory of the Canadian Forestry Service to inform the public on the efficient use of hardwoods. Documents of this type were normally published in both French and English, each version containing a summary in the other language. The French version of the booklet was due to be printed and circulated shortly.

The Department added that its requirements for translation from English into French were in excess of what the Translation Bureau of the Department of the Secretary of State could handle, and that it was trying to find a solution to this problem.

- The complainant criticized the Department for not having published by November 1972 a French version of *Native Trees of Canada*, although the English one had been in circulation since 1969.

The Department told the Commissioner that this delay was due to difficulties involved in the translation and revision of the text. When a similar complaint had been lodged during 1971-72, the Commissioner had indicated that the lapse of such a period of time between the publication of the English and French versions of a text constituted a violation of the Official Languages Act and had recommended that the Department take steps to ensure that such a situation did not recur.

The Department informed the Commissioner that *Les Arbres indigènes du Canada* would be published towards the end of 1972 or at the beginning of 1973. It also informed him that its policy concerning the translation and distribution of its publications was being given a thorough review, and that specific directives would be issued in order to satisfy the requirements of the Official Languages Act.

The French version of *Native Trees of Canada* was published on 30 March 1973.

## EXTERNAL AFFAIRS—"Last Tango in Paris"

### EVALUATION

*The Department's dealings with the Commissioner remain cordial, co-operative and savorously tactful. Its concrete dealing with his recommendations, however, cannot in all candour be termed vertiginous: its pace, in settling complaints and in implementing the Commissioner's special studies recommendations does not invariably remind him of Henry Kissinger.*

*The Department seems well advanced in terms of bilingual Foreign Service Officers (roughly 60 per cent of the total) and of French-language units: five important Divisions at Ottawa headquarters. Fifteen missions abroad, the Department states, also work mainly in French. Nevertheless, the Commissioner would be reassured to observe quicker progress on a number of recommendations still outstanding, many of them on rather minor, easy-to-settle points.*

In the 1971-72 fiscal year the Commissioner's Office simultaneously undertook three studies of Canadian missions abroad, involving the department of External Affairs, Manpower and Immigration, and Industry, Trade and Commerce.

The Commissioner considers that the Department of External Affairs should have acted with more vigour and dispatch in carrying out the 51 recommendations that he made on 30 March 1972 following his study of the Department. The information provided by the Department regarding application of these recommendations was often vague and sometimes disjointed, but early in November 1973 it was possible to say that at least 19 recommendations had been either taken up too timidly or completely ignored. On the other hand, the information gathered revealed that the Department had taken or intended to take the necessary steps to implement 22 recommendations. Finally, the target dates for three recommendations had not then fallen due and seven others were to be the subject of joint action with Treasury Board or the Public Service Commission.

The Department has been or will be able to apply the recommendations to include directives on use of the official languages in its Manual of Procedures and to set up a bilingualism file in each of its missions. It has also agreed to ensure that all public events (exhibitions, trade fairs, receptions, and so on) organized abroad under its auspices reflect Canada's bilingual character. Further, the Department has taken the necessary steps to implement most of the recommendations on telephone service, forms for external use and the Department's identification on publications, press releases and classified advertisements. Moreover the recommendations on dictionaries and typewriter keyboards have now been acted upon—a minor but still encouraging consolation. The Commissioner would also like to stress that the Department has taken some interesting and positive steps concerning communications between missions and head office, language courses and general development courses for personnel. It should be pointed out, however, that a large number of these recommendations were to be incorporated into the new Manual of Procedures which the Department planned to publish; the Department must therefore see that their implementation is properly monitored. In this regard, the Commissioner hopes that the Department's initiative in asking its Inspection Service staff to report the ob-



servations on bilingualism made during their tours and in asking its Adviser on Bilingualism to make on-the-spot studies of what is being done will improve implementation, which, given the distances involved, requires regular monitoring.

In contrast, the Department has not reacted as positively with regard to 19 other recommendations. For some, covering such important areas as printed matter, library holdings, films, press releases and memoranda, the Department invoked the relative absence of demand or the lack of bilingual staff in the missions to justify its inaction. As for the other recommendations, the Commissioner noted that in its last progress report, the Department had changed its attitude on the solutions agreed upon by its representatives and those of the Commissioner in the consultations held following the study. This is true of recommendations on the availability of services in both languages, forms, registration cards for Canadian citizens living abroad, employment offers made abroad, signs and notices.

Finally, seven recommendations required joint action with Treasury Board or the Public Service Commission. These concerned the linguistic composition of mission staff (statistics on linguistic composition of personnel, ability of heads of posts and their secretaries to work in both official languages, assignment of officers and stenographer-typists), recruiting plans and the language tests which candidates for Foreign Service Officer positions must take.

The Commissioner is aware of the difficulty an institution may have in applying 51, sometimes complex recommendations, but he is nonetheless disturbed by the Department's slowness in certain areas; he intends to continue watching carefully the application of his recommendations and, if necessary, will resume the consultations begun after the study.

In the past three years the Commissioner has received 22 complaints against the Department. Of these, eight cited violations of the Act; some concerned services to the public abroad and others, services to the public in Canada. All these complaints have been settled.

The results obtained from investigating the complaints are acceptable. However, the Department sometimes appeared more anxious to justify itself than to propose corrective action.

## COMPLAINTS

### *File No. 528—Notice of Competition*

A French-speaking public servant told the Commissioner that he believed the notice of competition for a position as Assistant Director

(Technical Services) in the Telecommunications Division should have mentioned under language requirements that the knowledge of both French and English was at least advantageous, if not essential.

An investigation was made to see whether the provisions of Section 39 (4) of the Act were being complied with and to determine whether there were enough bilingual people at the higher levels of this Division to provide services to the staff and to the public in both official languages.

The Department informed the Commissioner that it had studied the possibility of designating the position in question as bilingual. However, because this would have considerably reduced the number of eligible candidates, and because bilingualism was not an essential qualification, it was decided to leave it as it was. This Division seemed to have very little contact with the public, and the Assistant Director's duties consisted mainly of telegraphing copy handed to him and seeing to it that the equipment was in good working order. The number of bilingual employees in the Division, though not actually very high, nevertheless seemed sufficient to fulfil the requirements of institutional bilingualism as far as services to the public were concerned.

The Commissioner reminded the Department of the need to maintain at all times, especially in the upper ranks of this Division, a sufficient level of bilingualism to allow employees to communicate with their superiors in the official language of their choice in any matter concerning employer-employee relations.

#### *File No. 738—External Communications*

A French-speaking person complained that the Department had sent him an invitation in English only to a reception in Edmonton to mark the opening of a Regional Passport Office.

The Department informed the Commissioner that its directives on the subject, dated 17 November 1971, stipulated that an equitable balance should be observed in the matter of invitations. It was established practice in the Department to send out all invitations in the language of the recipient. In the complainant's case, the directives had not been followed.

#### *File No. 903—Consulate General in Boston*

A Canadian citizen residing in the United States said that when he visited the consulate general in Boston none of the seven or eight newspapers on display in the reading room were in English. The complainant had also written to a Canadian senator who in turn wrote to the Commissioner. Their letters were almost identical.

The Department explained that the English-language papers were all being read by consulate personnel and had not been returned to the reading-room, but that measures had been taken to avoid such a situation in future. The Department also forwarded a copy of an extract from its administrative circular concerning "service to the travelling public".

Both the complainant and the senator were informed of the Department's explanation.

*File Nos. 1333, 922—News Bulletins*

Some members of the Department and of the Department of Manpower and Immigration at a Canadian embassy overseas complained to the Commissioner about the format of the CBC-CP daily news bulletins which the embassy received from Ottawa. The bulletins consisted of extracts from English- and French-language Canadian newspapers. The news items were in the language in which the newspaper was published and were not translated. The complainants wanted to receive the whole of the news in both languages because they were not all bilingual.

The Commissioner investigated the matter and came to the following conclusions:

- 1) The format of the news bulletin did not contravene the Official Languages Act.
- 2) As the recipients were the embassy staff and not the general public, the only section of the Act which was applicable was Section 2. Since the news items were published without translation, and the English and French items were roughly equal in number, the equality of the status of both official languages was respected.
- 3) If the bulletin were made available to the travelling public in the same way as Canadian newspapers, it fell within the terms of Section 10 of the Act. Newspapers were not translated; since the bulletin consisted of excerpts from them, it need not be translated either.
- 4) Where the English- and French-language press reported important news items in a significantly different way, the Department included reports in the bulletin in both languages.

The correspondents were not happy with the Commissioner's reply and claimed it did not meet the spirit and intent of the Act.

The Commissioner explained that if the sending of untranslated excerpts was a breach of Parliament's intention, then the same would be true of the circulation of untranslated newspapers. He did not believe that such was Parliament's will as expressed in the provisions and spirit of the Act.



The Commissioner conceded that if the Department were to publish a daily synopsis of the news the case would be different. However, his investigation showed that the Department was publishing excerpts taken direct from the media, and that by providing a linguistically balanced selection it was respecting the Act.

The ambassador wrote to the Commissioner to make it clear that the correspondents had written to him in their private capacities and that their views should not be interpreted as reflecting the views of all personnel, or of the embassy.

Later, a correspondent from another post abroad claimed that the bulletins contained more news items in French than in English, and sent a photocopy of a bulletin which appeared to be two-thirds in French and one-third in English. The Commissioner asked the Department for an explanation.

The Department replied that, although it sought to provide a balanced quantity of news items in both official languages, the predominant consideration was the selection of the most newsworthy items. Sometimes important news items in one language outnumbered those in the other.

During January 1973, the bulletins had contained approximately 11,000 words in French and 9,000 words in English; given that normally more words are needed in French to convey an idea than are needed in English, the Department believed there was a reasonable balance.

The Commissioner accepted the Department's explanation and the news bulletins continue to be issued as before.

#### *File No. 1320—Bilingualism . . . in Moscow*

A French-speaking fan deplored the fact that during the Canada-Russia hockey games in Moscow in the fall of 1972, announcements in the arena were made only in Russian and English. He asked the Commissioner to discuss this matter with the federal authorities concerned and to see that they took the necessary steps to ensure that Canada would in future project the image of a bilingual country when it was represented abroad.

The Department admitted that, during these hockey games, announcements and commentaries inside the Moscow arena had been made in Russian and, occasionally, in English. It pointed out that the Soviet authorities in charge of the arena had exclusive responsibility for such matters. The Soviet representatives considered it a favour to broadcast any commentary at all in a foreign language. After the first game, the Canadians remarked to their hosts that the French-speaking members of their delegation would be happy if the most important announcements could be made in French as well. A senior Russian

official replied that, compared to what had been done in Canada in the past (where announcements were made over the loudspeaker in English and French, but not in Russian), the Soviets were already making a considerable effort.

The Commissioner expressed the opinion that the next time such sports events were held in Canada, the Canadians should have announcements broadcast not only in French and English, but also in the language or languages of the visiting team if they wanted the visiting country to give them the same consideration. This would undoubtedly help Canada, on such occasions, to project its image as a bilingual country and to provide Canadians with all services in both official languages in accordance with the spirit of the Official Languages Act. The Commissioner further suggested that this principle should be kept in mind when arranging any matches, whether hockey or other sports, with foreign teams.

*File Nos. 1553, 1561—The Minister on the Hot Seat*

The Secretary of State for External Affairs gave radio and television reporters an account in English of his 20 November 1972 meetings on Vietnam with the American Secretary of State, William Rogers. Some French-speaking reporters complained that they had not been able to record the Minister's statement at the same time as their English-speaking colleagues because Mr. Sharp was not available to make a statement in French until later in the day.

The Department informed the Commissioner that Mr. Sharp had agreed to meet with reporters at 10 o'clock the day after his meetings with Mr. Rogers. At that time, he made a brief statement in English and answered a number of questions, but no text was distributed. Mr. Sharp also agreed to grant the French-speaking reporters' request for a similar statement in French for the benefit of the French-language radio and television audience. But he was not able to make it until later in the day. It was then that the radio reporters, annoyed at being unable to record the Minister's communiqué at the same time as their English-speaking colleagues, decided to boycott the second press conference.

The Department assured the Commissioner that Mr. Sharp was very anxious to respect the equal status of the two official languages, and that for this reason all written statements and communiqués issued in his name were given out in both languages simultaneously. Mr. Sharp also made every effort to present his verbal statements in French and in English. He regretted this incident. That is why the Department's Press Office and Mr. Sharp himself were subsequently eager to discuss the matter with the reporters concerned.

The Commissioner said he was convinced that this incident did not reflect the Department's policy with regard to services offered to the public, and he believed that services to the news media would in future put the two official languages on an equal footing.

## FARM CREDIT CORPORATION—"All That Money Can Buy"

### EVALUATION

*The Corporation's continuing efforts accrued to its credit a significant progress towards implementing the Commissioner's recommendations.*

As indicated in the Commissioner's *Second Annual Report* the Corporation was, at its own invitation, the subject of a special study in 1971-72. Having completed an internal report on bilingualism in August 1969, the FCC has, since 1971, worked closely with the Office of the Commissioner to analyse and solve problems associated with implementation of the Official Languages Act. The Corporation's continued efforts to recruit bilingual personnel for public-contact positions where there is a substantial demand for service in both official languages and the active encouragement it gives its staff to enrol in a variety of language-training programmes provide hope that bilingual services will soon be available in all FCC offices serving both official-language groups.

In March 1972, the Corporation reported that it was taking action to implement all eight of the Commissioner's recommendations. In March 1973, the Corporation issued a bilingualism manual to all branch managers in which it laid down policy guidelines, announced the appointment of a bilingualism adviser and spelled out its policy on the use of both official languages in various services to the public, in internal communications and in inter-office services. The Corporation also set out the conditions under which its employees could receive language training in various programmes.

The Corporation reported that it had taken the following action on the Commissioner's recommendations by 30 September 1973:

- 1) Bilingual services to the public were now available in 21 of the 26 centres specifically named in the 1971 recommendations. The Corporation reported that it was experiencing a severe shortage of bilingual graduates in agriculture and that some time would elapse before full bilingual capacity could be provided in certain of its offices;
- 2) Arrangements were made in the autumn of 1972 with the Language Bureau of the Public Service Commission for a monitor to come to Head Office two afternoons a week to assist students attending language training;
- 3) The Corporation had implemented recommendations 3, 5, 6 and 8 concerning respectively language training for spouses of employees enrolled in



language programmes, bilingual signs at its offices, bilingual calling cards for authorized employees and policies for advertising in the press;

4) Most local telephone directory listings of FCC offices now had a bilingual format. Those still unilingual would be rendered bilingual in the next directory printing; and

5) Although the Public Service Commission's Language Schools are used for training certain selected employees and other language-training facilities are used in Alberta and the province of Quebec, the Corporation's employees have not been offered correspondence courses as recommended by the Commissioner. This disadvantage would, however, appear to be adequately offset by the Corporation's positive policy of making a variety of other language-training programmes available to its employees.

The Commissioner received only two complaints which the Corporation settled immediately to the satisfaction of all concerned.

## COMPLAINTS

### *File No. 1639—Application Form*

A complainant sent the Commissioner the English-language version of Form 3201 H 11. He wished to know whether or not a French version of this form was available.

The Corporation explained that the form in question was an abbreviated version of their main application Form 3901 which was available in both official languages, but that the shorter one was available in English only. Both were due to be replaced by a new, bilingual form early in 1973.

The Commissioner asked the Corporation to send him a copy of this new form as soon as it was available. He received it in June and was assured that the form complained of had earlier been taken out of circulation.

### *File No. 1722—St. Paul*

A French-speaker pointed out that the Corporation did not serve the public in French in St. Paul, Alberta. He said that as the former chief of the local office was probably going to be replaced by two people, it would seem logical for one of them to be bilingual, since 35 per cent of the population served was French-speaking.

The Corporation informed the Commissioner that a bilingual credit adviser was working temporarily in St. Paul. It was also taking steps to transfer a bilingual credit adviser who was at present working in Quebec to a permanent position in St. Paul by July 1973 at the latest.

The adviser was appointed on 22 May 1973.

## FEDERAL COURT OF CANADA

### COMPLAINTS

#### *File No. 1027—Simultaneous Translation*

An English-speaking newspaper reporter, who was attending a hearing in a case conducted in French before the Federal Court, alleged that lack of simultaneous translation constituted a *de facto* denial of his right to information as a representative of the public.

Prior to the coming into force of the Official Languages Act, the Federal Court (it was called the Exchequer Court until December 1970) operated as a bilingual court in the manner set out in Section 133 of the British North America Act, 1867. Accordingly, to the extent that it was feasible for it to do so, the Court ensured that either of the official languages could be used by any party to proceedings before it. Generally speaking, this was achieved, in cases where both languages were to be used, by the presence of judges and lawyers who understood both languages. The obvious weakness in that system was that a party to a lawsuit who understood only one official language was not able to understand evidence given by witnesses testifying in the other official language. Section 11 (2) of the Official Languages Act remedied the difficulty faced by any such unilingual party by providing for the simultaneous translation of the proceedings.

To arrange for the provision of simultaneous translation in particular cases, a procedure was established by means of Rule 356 of the Rules of Court. This rule appeared to require that the party requesting translation satisfy the Court that he would be placed at a disadvantage if simultaneous translation could not conveniently be made available.

The Commissioner believed that Section 11 (2) of the Official Languages Act required that this service be provided as a right by the Court unless it could be shown that there would be no disadvantage. Accordingly, he recommended that Rule 356 be amended to comply more fully with the relevant section of the Act. The Federal Court replied that the Commissioner's recommendation would be brought to the attention of the judges of the Court for their consideration. The Court refused to make the suggested amendment. The administrator of the Court informed the Commissioner that, "after due consideration, it was decided that an amendment such as suggested would not comply with the requirements of Section 11 (2) of the Official Languages Act".

Finally, the Commissioner examined the question of the rights of members of the public to simultaneous translation under Section 9 (1) of the Official Languages Act. He concluded that the service in question could not be considered an "available service" as set out in that section

for if that were the case, there would be no requirement for a provision such as Section 11 (2). It seemed clear to him that, as a matter of statutory construction, Section 11 (2) of the Act has a purpose, and that it would have none if, in such cases, simultaneous translation were considered an "available service" according to Section 9 (1).

#### *File No. 1079—Unilingual Judge*

A French-speaking complainant said that a unilingual English-speaking judge presided at the hearing of a case in which the defendants, their lawyer and witnesses were French-speaking. The complainant further stated that although simultaneous translation facilities were employed this was not sufficient to make up for the lack of a French-speaking presiding judge.

The Federal Court replied that one of the principal objectives, in arranging for the hearing of a matter, quite apart from the Official Languages Act, "is to have a judge or judges constituting the Court who is or are, to the degree possible, of the appropriate language or languages". However, there are other factors besides the language or languages of the judge that must be considered when arranging a hearing.

"In any particular case", the reply continued, "the appropriate chief justice makes the best arrangement that he can, taking into account the requirements of the particular situation—in doing so he must, among other things, balance against the degree in which the judge available knows the appropriate language or languages, the desires of the parties as to when the hearing should take place, and the delay that would be involved in arranging for a hearing presided over by a judge who has a more profound knowledge of one of the languages . . ."

The Commissioner was of the opinion that the situation contravened Section 9 (1) of the Official Languages Act because parties to a Court action are members of the Court's public and as such are entitled to obtain service from the Court and communicate with it in both official languages. The Commissioner therefore recommended that when it is apparent that there is a predominant official language in a case, a judge competent in that language be assigned to it.

The Chief Justice replied that the Commissioner's recommendation was given careful consideration.

## FINANCE

### *SUMMARY*

The Department in answering the Commissioner's questionnaire of October 1973, considered its institutional bilingualism "adequate under



present conditions". Among other information, it sent the news of offering an in-house language training programme to complement the classes of the Public Service Commission's Language Bureau.

The Department's policy and specific objectives concerning official languages were "generally those of the Government of Canada". The Adviser on Bilingualism is responsible for implementing the Department's programmes. Apparently a number of on-going programmes are "subject to a continuing review as to their efficiency and adaptability to a changing situation" (an unassailable goal), and these programmes, the Department believed, were tailored to meet the expected increase in demand for bilingual services.

The Department appeared to have no specific deadlines for implementing its bilingualism programme. Existing manuals, for example, were "gradually" being translated and new manuals were stated to be published in both official languages.

English and French, according to the Department, enjoyed equal status, rights and privileges. Staff development training, for example, was said to be offered in both official languages. A Terminology and Linguistic Section has been established to improve the quality of written communications. It has a French-language unit, as well as other units where a significant part of the work is carried out in French. Internal communication is in either or both official languages. The Department explained that supervision is mainly in English, but that its capability in French is increasing as more French-speakers are hired and as language training develops.

## INDIAN AFFAIRS AND NORTHERN DEVELOPMENT—"How Green Was My Valley"

### EVALUATION

*In implementing the Commissioner's recommendations emerging from two special studies (conducted at the Deputy Minister's request) of the National Parks and Historic Sites Branch and recommendations arising from complaints, the Department has acted, sometimes immediately and at other times progressively, to produce concrete and positive results.*

*The Branch's inability to meet the specific target dates for completion of the change-over programme of visual objects (such as signs and historic markers) from unilingual to bilingual should be seen against a more fundamental achievement concerning Section 10 of the Official Languages Act. This section obliges federal institutions serving the travelling public to assume demand for bilingual service everywhere.*

*Without waiting for any directive or prompting, either from the Commissioner or from any one of the central agencies of the government, this Branch (because it serves mainly the travelling public) assumed the existence of a general and regular demand for service in the two official languages across the country. That the Branch has assumed such a demand from coast to coast does not mean that it has fulfilled all its obligations under the Act; but the Commissioner points this out to congratulate the Branch, because where some other federal institutions with similar responsibilities to the travelling public are still trying to disprove demand and have shied away from applying Section 10 with imagination and fairness, this Branch has taken on the task and is proceeding with perseverance. The Commissioner's duty of monitoring has been aided by the Department's co-operation and its receptiveness to his suggestions and comments.*

As for recommendations resulting from the special studies, the Commissioner is somewhat worried about the Department's slowness in implementing his recommendations in the following areas: (1) the programme for rendering all historic markers bilingual; (2) completion of the bilingual signs programme; (3) provision of services to visitors in both official languages and advertising the availability of such services; (4) provision of interpreting programmes in both English and French to the public; (5) selection of staff for language training, development of training and retention programmes, recruitment of bilingual staff and provision of accommodation for casual employees; (6) assistance to concessionaires in providing bilingual public-safety signs and this Department's responsibility regarding other federal government agencies' compliance with the Official Languages Act; and (7) provision of services to the public in both official languages automatically.

Concerning recommendations the Commissioner made after the special studies, the Department reported these were at various stages of implementation. As for historic markers, the Department indicated that it will be unable to complete this programme by the recommended target date of June 1975; considering the procedures that must be followed, it expects that all historic markers will be bilingual by the end of 1977. The Commissioner finds this date far removed from the time-frame within which he intended this reform.

The Department has not been able to meet the recommended target date of 1 June 1972 for rendering all signs bilingual. It has given June 1975 as a more practical date for the completion of the programme. The Commissioner does not consider this to be a reasonable date for signs in the canal systems. Furthermore, although checking signs in national parks and at historic sites tends to prove tedious, he

urges the Department to mobilize its will and find ways to advance this date. The Department has not yet completed an inventory of all interpretative texts, plaques and ground signs in the western region, a step needed before making them bilingual, and does not anticipate having an inventory prior to June 1974. The Commissioner, given the nature of this recommendation, thinks the Department could have acted more quickly in preparing this inventory. Lastly, the Department anticipates that all nature-trail signs will be rendered bilingual in the western region by 1 June 1974.

The Commissioner believes the Department could improve service in both official languages, in particular in Nova Scotia, Ontario, Manitoba and Saskatchewan. The lack of such service at information booths, where there is substantial contact with the public, is of great concern. Although the use of both official languages in recorded announcements and publications does provide some awareness to the public of the availability of bilingual service, the inadequacy of advertising that availability does not fulfil the Commissioner's recommendation. Telephone listings are not generally in both official languages; although the task of ensuring it may be the responsibility of the Department of Communications, the Commissioner considers that the Department could expedite this matter without much difficulty.

The number of interpretative programmes in both official languages is still not enough in the Maritime provinces, Quebec and Ontario, notwithstanding the recommended target date of 1 June 1972. There is also a marked lack of advertising the availability of bilingual guides in these provinces, as well as a reluctance to hire such guides on weekends during the off season. A further cause of concern is the Department's failure to increase sufficiently its complement of bilingual naturalists and guides at all parks in the western provinces; recruitment problems, according to the Department, have been a significant factor. The Department expected to complete recordings used in interpretative programmes available in both French and English in December 1973; the Commissioner trusts that this date was respected.

The Commissioner recommended the Department develop language training and retention programmes for its staff. As of the end of September 1973, the Department appeared to have done little about this and its plans for the future were tentative and might only entail a pilot language-training project. The Department indicated that in the past it provided language training on a voluntary basis; the Commissioner hopes that in the future the Department will accord high priority to language training to employees with public-contact functions.

Recruitment of casual employees appears to be a problem because there is not enough housing for them nearby; the Department should make greater efforts to provide more accommodation at parks located



some distance from towns in order to increase the complement of bilingual casual employees.

There are some national parks in Quebec, Ontario and the Western provinces where the number of bilingual temporary employees is still insufficient to provide adequate service to the public at all times. Lastly, there has been a reticence on the part of the Department to search for bilinguals beyond the local regions, notwithstanding a considerable lack of such people in some of these areas. The Commissioner appreciates that economic factors, custom and the reluctance of people to move great distances will have to be taken into account; but he thinks the Department should explore alternative solutions.

In December 1973 the Department took steps to make available, on a voluntary basis, its translation and editing services to concessionaires in order to help them render their public-safety signs bilingual. However, it did not give the Commissioner any assurance that the concessionaires would in fact use these services; neither did it give any indication as to when this programme would be completed. The Commissioner had recommended a target date of 1 June 1973 for this assistance; he regrets that all public-safety signs are still not in both official languages. Since public safety is in question, the Commissioner believes the Department should take more positive steps to ensure that this recommendation is fully carried out in the immediate future.

The Department has not ensured that signs and publications of federal government agencies with facilities in the parks were in the two official languages by the above-mentioned date. The Office urges the Department to look into this matter more closely.

With few exceptions, service to the public is still not offered in both official languages automatically. The Commissioner strongly encourages the Department to take more positive steps to ensure that the public is aware that service is available in both English and French. Bilingual recorded announcements or explanations represent a technique the Department has used in a few instances with good results and the Commissioner thinks it should be considered for other locations.

Between April 1970 and 31 March 1973 the Commissioner received 27 complaints about this Department, 11 of which concerned service to the public by the National Parks; the rest dealt with such matters as unilingual English documents, poor quality of French, and other services to the public. The Department readily corrected all problems. In a few cases, the Commissioner judged it necessary to make specific recommendations which the Department gradually implemented.

The Department settled two complaints regarding linguistic requirements of positions, in one case by modifying those requirements and in the other by sending the incumbent to language training.

Two complaints came from French-speaking employees about language of work and being obliged to take the oath of allegiance in English. The Department informed the Commissioner that it had remedied both situations.

### *SPECIAL STUDY—NATIONAL AND HISTORIC PARKS BRANCH, CANALS DIVISION*

The study was undertaken at the request of the Department following its assumption, on 1 June 1972, of jurisdiction over the Canals Division (formerly part of the Department of Transport), and as a result of the keen interest displayed by the Department in making its services equally accessible to both English- and French-speaking people throughout the country.

The study focused mainly on the requirements of Section 10 of the Official Languages Act. The study team conducted interviews with officials of the head office, and of the Rideau, Trent and Quebec district offices. Included in the study team was a member of the Department's Official Languages Branch staff who provided valuable assistance in gathering necessary data.

At the time of the study, the Canals Division was responsible for four canal systems in Canada, each of which was highly decentralized and treated, for administrative purposes, as a distinct district. Upon assuming control of the canal systems, the Department directed its attention to meeting bilingual requirements in the National Capital Region. It had already taken the initiative of providing bilingual publications and interpretative services in both official languages at a number of lock stations but it had not yet assessed the overall requirements of service to the travelling public, nor had it devised a programme to satisfy the needs of the canal systems lying outside the National Capital Region and Quebec. Services in those systems were offered in a limited and sporadic fashion.

According to Division officials, no specific policy had been developed to ensure that external and internal signs in areas of public access gave equal prominence and presence to English and French. A general review of signs at canal sites had, however, been undertaken by members of the head office with the aim of determining where signs could be standardized, eliminated or converted to symbolic ones. Except in Quebec, the majority of signs on canal premises were unilingual English. Only a few of the signs in the National Capital Region had been rendered bilingual, in collaboration with the National Capital Commission. Needless to say, a system of signs posted at canal sites is essential

for maintaining proper control of traffic and operations and for ensuring public safety.

It was in the area of publications that most progress had been made. All but one or two publications were printed in the two official languages, but, being in separate language versions, they were not always equally available or adequately distributed in both languages. An information sheet, distributed on a daily basis to inform boaters of hazardous weather conditions, was printed in English only; this was clearly a serious oversight. Only one form was used by the public in Ontario and it was in English. Calling cards were also in English only, except for those used in Quebec, which were bilingual. Materials printed by other federal government departments and agencies and distributed by the Canals Division were not always displayed and made equally available in both official languages.

An important realm of activity was information services. These include telephone services, correspondence, contacts with the media, speaking engagements and special exhibits. The Division had no specific policy regarding telephone-answering practices though it appeared that telephones were answered unilingually in either English or French depending on the location of the office or canal site. A number of the Quebec offices had bilingual receptionists, however. Frequently, correspondence had to be sent to Ottawa for translation, which resulted in delays of approximately ten days before it could be dispatched.

The Division did not support an information services unit. Most of the Division's publicity was done, at no cost, through public broadcasting and, in most cases, it was representatives of the media who initially contacted canal offices for the purpose of subsequently relaying information to the public. Most of these contacts were with English-language media. Press releases of national interest were issued in both official languages, but often those of a local nature were transmitted to the press in English only even where French-language newspapers existed. The Division mounted special exhibits at a variety of boat shows and displayed commendable initiative in ensuring that all aspects of these exhibits were bilingual.

The principal service the Division provides to the public is a technical and operational one required by vessels passing through lock and bridge structures. Contact between lock-operating personnel and the boating public can be direct or indirect, and oral communication is normally used to convey safety instructions to boat owners while locks are being filled or emptied. This service was provided only in English on three of the four canal systems though this particular information could, if necessary, be transmitted in both official languages by means of cassette recorders.



The use of recorders, however, would not cover all cases where boaters or the general public required or requested services in either of the official languages. The Division considered that to meet these situations would be no small task, given the shortage of bilingual personnel outside Quebec as well as the large number (103) of lock stations to which attention would have to be given. In Quebec, 34 out of 42 staff members were bilingual, but elsewhere only 21 out of 232 employees were bilingual. All lock stations could not of course be staffed by bilingual personnel immediately, but priority in staffing could be accorded to key locations, particularly those where contact with the public would be greatest. Obviously, bilingual personnel would have to be deployed immediately to lock stations serving areas where there are local English- and French-speaking populations. In the Rideau canal system, 14 bilingual employees were stationed in the National Capital Region, but at least one lock station had no bilingual capability at all. The team estimated that a minimum of two bilingual employees would be needed to cover shift requirements in this and similar areas.

As pointed out, the Division had yet, at the time of the study, to assess its full obligations under the Act and the means by which to comply with them. In recruiting staff, it was evident that district offices placed little emphasis on the recruitment of bilingual personnel, a fact that seemed attributable in part to the absence of a well-defined policy in this matter. To surmount deficiencies in the provision of bilingual services, the study team proposed that the Division resort to recruitment and deployment of bilingual casuals to public-contact positions, and to second-language training. The team learned, however, that it was not the Division's practice to view casual employees who assist lock operating personnel as public-contact employees. This practice could be modified because the seasonal nature of canal operations allows a high measure of adaptability in the deployment of personnel.

At the time of the study, the Division had made limited use of the Public Service Commission's language-training facilities. Although operational personnel could in principle apply for language training, none did and little had been done to promote this programme in the field. Clearly, the Division did not view language training as a suitable means of augmenting bilingual capability in public-contact positions in the field. Moreover, no provision had been made to ensure that staff who had received required language training maintained and improved their ability in the second language. This was left up to the individual.

As for concessionaires, of whom Section 10 (1) of the Official Languages Act requires the provision of services to the travelling public in both official languages, the Division had yet to assemble the information required to evaluate concessionaires' obligations under the Act. The team believed, however, that obliging and, if necessary, assisting con-

cessionaires to serve the travelling public in both official languages must be an integral part of any bilingualism programme involving the Division. In spite of the commendable initiatives taken by the Division to make a number of services available to the public in both official languages, the team's findings indicated that there were still essential services provided to the public which were not offered in total compliance with the Official Languages Act. These oversights seemed to be due to the absence of clear and precise guidelines for implementing government and departmental policies and directives on bilingualism and on the Act. In the judgment of the team, one way to overcome these difficulties would be to designate an official at Division headquarters level to be responsible for planning, implementing, co-ordinating and monitoring a programme designed to meet the Division's obligations under the Act.

In view of the shortcomings and oversights noted and the expressed desire of the Department for detailed administrative guidance, such as that which resulted from the previous collaboration of our two organizations in the study of the National and Historic Parks, the Commissioner recommended that:

(1) all existing external and internal signs and inscriptions within the Canals Division's jurisdiction, in areas accessible and visible to the public, be rendered bilingual by 1 December 1973;

(2) to facilitate the implementation of Recommendation 1, the Division ensure that all district officials receive guidelines for rendering unilingual signs bilingual and for correcting bilingual signs in which inaccuracy or error occurs in one or the other of the two official languages;

(3) a record be established and maintained both at headquarters and at the district offices of all signs identifying canal premises, and that this record be kept up to date by means of the addition of the texts of all newly translated signs;

(4) requests for translation of texts of signs be accompanied by a brief statement specifying the context in which the signs will be used;

(5) the official translation of texts of signs be checked at Division headquarters before they are distributed to those responsible for the production of signs;

(6) a qualified member of the Division's staff located at the point at which signs are produced be responsible for proof-reading texts of signs in order to ensure that they are free of errors and omissions before they are installed on canal premises;

(7) upon completion of the bilingual signs programme, a centrally controlled survey be carried out by the district offices to ensure that:

(a) no unilingual signs remain;

(b) the texts have been rendered accurately and correctly in both official languages;

- (c) both official languages enjoy equal prominence in all cases;
- (8) all new signs which are erected be bilingual at the outset;
- (9) all new vehicle decals and uniform insignia be bilingual in the same identification format;
- (10) all written material, including forms, maps and calling cards, issued by the Canals Division for public information and use, be produced in both official languages by 1 June 1973;
- (11) all future publications be published in both official languages, under one cover where feasible, rather than in separate English and French versions;
- (12) whenever publications are displayed, both English and French editions receive equal prominence;
- (13) where separate English and French editions of publications are used, a sufficient supply of both versions be at all times available at all points of distribution;
- (14) where other federal government publications are distributed by the Canals Division for public information, steps be taken to ensure that these are made available in both English and French;
- (15) whenever the Division or any of its field offices or lock stations are listed in local telephone directories, they be entered in both official languages. The Division should approach the Government Telecommunications Agency of the Department of Communications for assistance in this matter;
- (16) the Division ensure that bilingual telephone services are available in the district offices, at those canal offices and stations serving areas where there are local English- and French-speaking populations, and at the Division headquarters in Ottawa, when these facilities are open to the public;
- (17) every effort be made to eliminate delays in answering correspondence in the minority official language;
- (18) district officials investigate, ascertain and use whatever French-language news media there are in their areas of jurisdiction to ensure that French-language groups have equal access to information in their own language;
- (19) where both language media exist, all press releases issued by Headquarters or by the district offices be transmitted simultaneously in both official languages;
- (20) all safety announcements which are provided as part of the regular service to the public using lock facilities, be given in both official languages. Where bilingual personnel are not available to provide such service, the Division might for example, consider the use of recorded announcements;
- (21) the Division take necessary steps to ensure that bilingual services are available to the travelling public as soon as possible at points on all canal systems where communication takes place with that public;
- (22) pending the complete implementation of recommendation 21, the Division make services in both official languages available on a first priority basis, whether through the deployment of available personnel with the necessary linguistic skills or the use of bilingual casuals, at the St. Peters



Canal lock station, at the extremities of the Rideau and Trent Canals systems and at a sufficient number of other points between those extremities so as to adequately cover off the system as a whole and at the same time make bilingual service available to the largest possible segment of the interested public;

(23) where guides provide interpretive and informational services in the two official languages, the availability of these services be advertised in both languages by means of either signs, literature or both;

(24) to meet the requirements of institutional bilingualism, the Division should fill with bilingual personnel, to the extent necessary, future vacancies occurring among junior permanent positions, so that services are ensured in both of the official languages;

(25) the Division recruit bilingual casuals for positions at lock stations requiring but otherwise lacking bilingual capability and so deploy them that the public can receive service in both official languages;

(26) in order to increase the complement of bilingual personnel on staff, the Division explore all possible sources of supply of bilinguals and devise means of maximizing awareness of openings requiring such personnel;

(27) the Division ensure that language training is made available to those permanent employees engaged in public-contact functions;

(28) the Division, in conjunction with the Official Languages Branch of the Department, develop and implement language training and retention programmes that take into account the seasonal nature of the Division's operations and time limitations facing operating personnel;

(29) the Division review all existing contracts with concessionaires to determine what can be done to require or assist concessionaires serving the travelling public to comply with the Official Languages Act; the results of this review to be made available to the Commissioner by 30 March 1973;

(30) an official be designated at the Division headquarters level to be responsible for the planning, implementing, co-ordinating and monitoring of a programme designed to meet the Division's obligations under the Official Languages Act;

(31) where bilingual service is available, service to the public be offered automatically in both official languages rather than only on specific request.

## COMPLAINTS

### *File Nos. 701, 1191—Correspondence*

- The complainant wrote in French to the Department's headquarters concerning a vacant position. An employee in the Personnel Division sent him a reply in English.

The Department informed the Commissioner that the letter in English had been sent in error and that it was an exceptional case. Instructions were issued to the staff at headquarters and at the regional offices reminding them of the requirements of the Official Languages Act and stressing the importance of replying to requests from the public in the official language used by the correspondents.

- A French-speaking person received a notice in English from the National Parks Branch. He complained to the Department and, in reply, was sent a letter of apology in French. Unfortunately, two other letters were subsequently sent to the complainant, both written in English.

The Department informed the Commissioner that although an investigation had been made, no satisfactory explanation for the incident had been found. The National Parks Branch therefore took the necessary action to ensure that the complainant's rights would be respected and apologized a second time. The Department added that it hoped such incidents would not occur again.

#### *File Nos. 960, 1527—Competitions*

- An English-speaking complainant told the Commissioner that he had applied for an engineering position with the Department in March 1972 and had been interviewed twice. On neither occasion was he informed that bilingualism was a necessary qualification, although he was asked if he knew French. He answered that he had a limited knowledge of the language and was told it was not important for the position in question.

He was not hired. When he called to ask why, he was told that his technical qualifications were adequate for the position and that it was too bad he could not speak French.

The Commissioner explained to the complainant that the matter lay outside his jurisdiction, because there was nothing to indicate that the Department had not taken due account of Section 39 (4) of the Act, dealing with the appointment or promotion of personnel part of whose duties related to the provision of services to members of the public. Nevertheless, he offered to forward the complaint to the Department. The complainant authorized him to do so.

The Department replied to both the Commissioner and the complainant in separate but identical letters, sending the Commissioner a copy of its letter to the complainant. The Department explained what appeared to be a misunderstanding; there had been two vacant positions, one in the General Architecture Unit where English was the working language and one in the French Period Unit where the working language was French. The complainant had been considered for the position in the General Architecture Unit, but a candidate with superior

qualifications and experience had been hired for the position. Because of his limited knowledge of French, the complainant was not eligible to compete for the position in the unit dealing with restoration of French Period architecture where French was the language of work.

- The complainant reproached the Department with only requiring a knowledge of English in competitions for the positions of Manager of the Arts and Crafts Central Marketing Services and Executive Secretary of the Interdepartmental Committee on Indian and Eskimo Affairs. He felt that only requiring a knowledge of English, for no apparent professional reason, put English-speaking candidates in a privileged position as compared with French-speaking candidates and ran counter to the legislators' intentions. The Act recognizes both English and French as having "equality of status and equal rights and privileges as to their use in all the institutions of the Parliament and Government of Canada".

The Department replied that it had reviewed the language requirements for these positions and stated that now a knowledge of either French or English was required. It re-advertised the position of Manager of the Arts and Crafts Central Marketing Services, incorporating this amendment. The competition for the position of Executive Secretary had been cancelled and no steps had been taken to fill this position.

#### *File No. 1080—Internal Communications*

An employee of the Department working in the Montreal district office stated that correspondence between her office and the head office in Ottawa was regularly written in English. She also claimed that a very easy-going approach was taken to bilingualism examinations for officers, but quite the opposite was true in the case of support staff.

Replying to an inquiry by the Commissioner, the Department stated that it had taken the necessary action to ensure that its policy giving regional employees the right to choose their language of communication with Ottawa was fully respected. With regard to language tests, it added that everything had been done to make sure that each member of the staff took these under the best possible conditions. The Department did recognize, however, that it still had an excessively unilingual English image and added that it was making a considerable effort towards achieving bilingualism, both so that its staff could use either official language and so that its own image would come into line with the linguistic realities of Canada.

In the light of these observations, the Commissioner recommended that the Department issue very strict directives to its regional offices, reminding all employees of their right to use the official language of their



choice when dealing with Ottawa, and assuring them that their choice would in no way affect the speed or quality of the reply.

The Department explained that directives dealing with internal communications would be one element in the bilingualism policy it was preparing. In the meantime, it would apply the relevant section of the Staffing Manual, which gives the author of an internal communication a choice of either official language.

#### *File No. 1030—Oath of Allegiance*

A French-speaking employee in Fundy National Park, New Brunswick, stated that he was forced to sign his Oath of Allegiance on the English portion of the form, even after he had voiced his objection.

Shortly after the Commissioner had referred the complaint to the Department, the correspondent informed the Commissioner that his superiors had finally allowed him to sign the French version of the document. The Department did make it clear, however, that the complaint was justified.

It appears that the Park Administrator must have incorrectly interpreted the provincial law concerning the taking of the oath in New Brunswick. The Act stipulates that the person administering the oath must read it. The Administrator refused the employee's request to take the oath in French on the pretext that he (the Administrator) could neither read nor understand French. The important thing in taking the oath, however, is that the employee sign the form and that he assure the Administrator that he understands what he is signing. Once this was explained to the Administrator, he agreed to allow the employee to take the oath in French.

Following this incident, the Regional Director in Halifax wrote to the administrative officers of all parks in the Atlantic Region urging them to respect their employees' choice of official language for the purpose of taking the oath.

#### *File Nos. 690, 1143, 1150, 1180, 1250, 1299, 1671—Information in National Parks and at Historic Sites*

- A visitor to Nova Scotia reported to the Commissioner the poor quality of the French in an advertising brochure describing the attractions of Ingonish Beach in Cape Breton Highlands National Park.

The Department informed the Commissioner that the translation of the brochure had not been approved by departmental authorities in Ottawa. It admitted, however, that this did not excuse the publication of texts written in poor French. The Department had already

approached the Department of the Secretary of State to obtain a good regional translation service.

Until a solution could be found, the Department had no alternative but to suspend all local publishing in French for the 1972 season in regions where there was no staff capable of providing satisfactory translation. Translations would be sent to Ottawa to be checked by Department employees before publication. It would cause some delay but the Department chose this course of action because it felt delay was preferable to the risk of offending French-speaking visitors.

The Commissioner recommended that the Department do everything possible to obtain both quality and speed in its translation work.

As a follow-up to this recommendation, a comprehensive proposal was submitted to Treasury Board listing the additional requirements in staff and materials. The Department was granted additional staff so that it could appoint five co-ordinators and three clerks to its Ottawa and regional offices. They were given the task of co-ordinating the implementation of the recommendations the Commissioner made after a special study of the National Parks Service. The budget to cover the cost of materials and manpower (signs, publications, and so on) to 1 December 1972 was under negotiation with the Treasury Board. The Department wished to emphasize that the implementation of some of the recommendations was dependent on its receiving these additional funds.

Department representatives, together with officials from the Commissioner's Office, examined the recommendations and agreed on improvements which could be achieved in 1972-73 using the funds that had been allotted for this purpose.

With respect to signs, a new bilingual approach which included the use of pictographs was tried on an experimental basis in Fundy National Park, New Brunswick, to test the public's reaction. This experiment is part of the general programme to revise signs in parks. If the experiment produces favourable results, it will be extended to all national parks and historic sites in Canada. The Department also agreed, as far as its budget allowed, to provide visitors with publications in both official languages.

- Three French-speakers complained about the signs, information and service in the national parks in Western Canada.

Following a special study, the Commissioner submitted a series of recommendations to the Department. In October 1972, it informed the Commissioner that it had taken steps to set up the administrative structures needed to carry out these recommendations. In the 1972 season, therefore, service in the West was improved through the hiring of 55 bilingual students and five French teachers. Revision of the signs was also being undertaken.

- Some French-speaking people who visited Fundy National Park at the beginning of July 1972 complained that they were unable to obtain service in French at the information centre on the campgrounds. In addition, they pointed out that there were no brochures available in French and that the labels identifying the flora were in English only.

The Department replied that in Fundy National Park, three of the six employees at the information centre, four of the eleven campground attendants and two of the nine naturalist guides were bilingual. Unfortunately, at the time the complainants visited the park, all of the bilingual staff had not yet started work.

The Commissioner recommended that the Department should make sure, through better deployment of its staff, that its services were at all times available in both official languages.

The unilingual labels identifying plants were to be used in the training programme for naturalist guides and have since been removed.

- A French-speaker complained about the unilingual signs at the approaches to Hog's Back Bridge in Ottawa, which comes under the jurisdiction of the Department's Rideau Canal Office.

The Department informed the Commissioner that it replaced the unilingual signs with bilingual ones as soon as it received the complaint.

- An English-speaking complainant alleged that only bilingual persons were hired in the summer of 1972 as guides at Fort Wellington in Prescott (Ontario), a national historic site under the jurisdiction of the Department.

The Department informed the Commissioner that it had hired three bilingual and two unilingual English-speaking guides at that location for the summer of 1972, in order to meet its obligations to provide service to the public of both official-language groups.

The Commissioner passed this information on to the complainant and told her that there had been no contravention of the Official Languages Act.

## INDUSTRY, TRADE AND COMMERCE\*—"The Hucksters"

### EVALUATION

*In spite of minor achievements noted below, the Department's performance in carrying out the Commissioner's special study recommendations makes him think the Department believes "Better a little*

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\*In the fiscal year 1971-72 the Commissioner's office undertook three studies simultaneously of the operations of three federal departments in Western Europe and in the Americas: External Affairs, Industry, Trade and Commerce (including the Canadian Government Travel Bureau), and Manpower and Immigration. The "read-outs" on Manpower and Immigration and External Affairs appear elsewhere in this chapter.



*with contentment than a lot with contention."* Out of the 38 recommendations the Commissioner made, seven could require gradual or long-term action because they called for recruitment, testing, training and deployment of bilingual or unilingual officers to meet the demands of service in the second official language to the public. The rest dealt with tangibles such as printed information, films, manuals, forms, signs and notices. The Commissioner believes that the Department could have been more energetic, industrious and innovative in putting his recommendations into effect. Instead, it spent more time disputing 13 of the Commissioner's 38 recommendations than in trying to implement them.

Following are some of the achievements of the Department of Industry, Trade and Commerce: in October 1973 the Department issued its Policy on Bilingualism, containing general guidelines to be followed by its administrative components in Canada as well as abroad. This document, although a little overdue, underscores several points covered by the Commissioner's recommendations. This policy is a step in the right direction but it may prove ineffective unless the Department closely monitors its application; the Department has not proposed any concrete steps to ensure implementation.

In addition to the policy document, the Department has asked its trade commissioners' offices and its Travel Bureaux to create and maintain an up-to-date file containing directives, circulars and other documents pertaining to bilingualism. Likewise, the Department is carrying out the most part of the Commissioner's recommendations concerning the Department's identification on publications and printed matter. Equally positive is the Department's reaction to the Commissioner's recommendations touching on such items as films, library, contact with media and internal communication.

During the last three fiscal years, the Commissioner received 13 complaints about this Department; three were justified and were settled satisfactorily.

The Department has no plans to take the necessary measures to apply 13 recommendations. It cites the demand factor to justify its inaction on seven of these, thus ignoring Section 10(2) of the Official Languages Act. The Act, however, is specific on this point: federal institutions are responsible for providing their services abroad in English and French, thereby respecting the equality of status legally conferred on both official languages. Offices abroad continue to provide telephone reception only in the language of the country in which they are situated, even if that language is English or French; publications, forms and stationery (envelopes, letter paper, and so on) may be printed in only one of the official languages; some signs abroad are likely to be posted only in a third language, and the Department's participation in trade

fairs and exhibitions abroad does not always reflect Canada's bilingual character. In another context, although the Department has agreed to put into effect some of the recommendations on the Travel Bureau, it considers that the Bureau's primary function is to provide services to nationals of the countries in which it maintains offices and that it therefore does not have to comply with all the provisions of the Official Languages Act. Basing itself on this restrictive interpretation of the Act, the Department has made no plans to apply four of the recommendations dealing specifically with the Travel Bureau, concerning forms, advertising posters, notices which the Bureau places in the local press and services provided orally by the Bureau's employees abroad. The Commissioner is not satisfied with this situation and intends to pursue this matter further with the Department.

Some other details which could easily have been rectified were also neglected; the Department had not followed up two recommendations, the first concerning postal and consular stamps, and the second, the Department's identification on publications printed in separate versions (it must have been owing to an oversight that the Department identified itself in English only in the November 1973 issue of the magazine *Canada Commerce* and in French only in the October 1973 issue of the French edition, *Commerce Canada*).

Finally, two other recommendations for which the target dates fall in 1974, in October 1973 seemed well on the way to realization (the first concerning administrative manuals and other Department reference works, and the second, forms used by the public and staff). Four recommendations required joint action with Treasury Board or the Public Service Commission, in the light of Parliament's resolution of June 1973 on the official languages. These are recommendations on the linguistic composition of staff of overseas offices (statistics, assignment of officers and recruiting plans) and on the assessment of the linguistic knowledge of candidates for Foreign Service Officer positions.

In view of the importance of the still unresolved problems and the fact that most of the Department's positive measures amount to issuing guidelines, the Commissioner plans to pursue actively the monitoring process which he has already begun.

Only one complaint needed a recommendation by the Commissioner. This concerned the Department's unilingualism during the International Book Exhibition held in Dallas, Texas, in 1971. The Commissioner recommended that during such exhibitions the Department should provide its services and advertise in such a way as to respect the equality of the two official languages. The other two admissible complaints touched upon the language of service at the Travel Bureau and the Metric Commission.

## COMPLAINTS

### *File No. 850—Competition*

The complainant entered a competition for a bilingual position with the Metric Commission, which reports to the Department. He said that the staffing division had agreed in advance that the interview would be in French, but that it had been conducted in English and the competition results had been sent to him in English. The complainant added that he had already passed the Public Service Commission's bilingualism test.

The Department informed the Commissioner that for this competition, a preliminary screening of candidates was done using the Public Service Commission's Data Stream. The position required a working knowledge of both official languages, and only five candidates met all the requirements.

The candidates were told at the interview that they were entitled to be questioned in the language of their choice and that they would also have to answer a few questions in the other official language, for the selection committee had to be sure that candidates were bilingual. A working knowledge of both official languages was required of Commission personnel, since the Commission had to hold meetings throughout the country and the proceedings would be taken down in French or in English, with no translation.

At the examination, the candidates had to translate a paragraph from French to English and another from English to French. This procedure had been approved in advance by the Public Service Commission.

The Department pointed out that at no time during the interview was a candidate consistently interviewed in a language other than that of his choice. At the end of each interview, candidates were asked if they were satisfied, if they had any questions to ask the committee and if they wished to make any comments. All said they were satisfied with the way the interview had been conducted.

The Department added that the complainant had inadvertently been informed of the results of the competition in English and that it regretted this oversight.

The Commissioner accepted the Department's explanations.

### *File No. 1060—Office of Tourism*

A Quebec organization complained that it had received a letter in English from the Office of Tourism.

The Department informed the Commissioner that as a general rule the Office of Tourism sent a bilingual circular to organizations



asking them for advertising material to distribute to its offices abroad. Receipt of this material was immediately confirmed by another bilingual circular. The mail clerk had inadvertently sent the complainant a letter written in English only. The Department spoke to this employee and took steps to avoid further such incidents.

#### *File No. 1544—Metric Commission*

The complainant said that when he telephoned the Metric Commission at 4:20 p.m. on 6 December 1972 he was answered in English and was not offered service in French.

The Department informed the Commissioner of the steps taken following this complaint to ensure that services were provided to the public in both official languages. Officials at the Commission issued a directive stressing the need to reply in both official languages to telephone inquiries and to take care to transfer calls to employees who spoke the language of the caller.

#### INFORMATION CANADA—"Canadian Graffiti"

##### *EVALUATION*

*During the last three fiscal years, the Commissioner received 14 complaints against this institution. Information Canada co-operated well in finding solutions to these complaints.*

*The agency indicated in November 1973 that, feeling the need to bridge an information gap, it had circulated a questionnaire to its employees with a view to designing an effective information programme for them about the government's new orientation in the two official languages.*

In answer to a questionnaire sent by the Commissioner's Office, Information Canada reported that it adopted a bilingualism policy in May 1972 taking into account the requirements of the Official Languages Act and the Treasury Board guidelines. Responsibility for the policy's implementation rests with the Chief of the Official Languages Division.

The goals of Information Canada's programme are to ensure that services are offered in both English and French where required by law and that staff may work in the official language of its choice. To this end, the agency revealed that it offers training and development courses in both official languages; it is identifying bilingual positions as required, and is translating manuals. Auxiliary services communicate in both English and French. The agency also added that, to the extent that it is now feasible to do so, employees are free to work and to address

their supervisors in the language of their choice. Also the Montreal and Ottawa Information Centres are French-language units.

Information Canada stated that frequent consultations take place between headquarters and the regional offices and thereby bilingualism programmes are evaluated periodically, if not in depth. However, it expected to undertake a thorough review once recent Treasury Board directives on identification and designation of bilingual positions had been completed.

## COMPLAINTS

### *File Nos. 1163, 1179, 1234—Publications*

Four complainants, two French-speaking and two English-speaking, objected to the publication by Information Canada of the English version only of two studies on the problems of communication at the community level.

Information Canada stated that the time lag between the publication of the English and French texts was attributable to the time required for translating, revising and typing the final text.

The Commissioner recommended that publications of a general nature appear simultaneously in both languages as far as possible, even if adhering to this principle means a delay in publication.

### *File No. 1203—Calling Cards*

A complainant received a circular in English about calling cards and concluded that the Canadian Government Specifications Board had printed it in English only. He also took exception to its contents because it stated that precedence would be given to the French language in Quebec only. He believed that this was contrary to the spirit of the Official Languages Act since it could mean that French-speaking public servants working in French-speaking areas in New Brunswick, for example, would not be able to use calling cards which gave precedence to French.

The complainant also sent the Commissioner a photocopy of the French version of *Contact*, a bulletin published by the Department of Consumer and Corporate Affairs. The Department's name was in both languages but precedence was given to English. The complainant blamed the circular for this too.

The Canadian Government Specifications Board told the Commissioner that the circular was available in both official languages but, because of delays in translation and printing, the French version had

been published three months after the English one. The Board stated that Information Canada and the Inter-departmental Committee on the Federal Identity Programme had established guidelines on precedence in departmental identification which it had simply applied.

The Commissioner told Information Canada that giving precedence to French in Quebec was only the minimum requirement, and that all directives on this matter should be flexible enough to allow French to be given precedence in some areas outside Quebec. Information Canada replied that it was in complete agreement with the Commissioner.

The Commissioner informed the complainant of this and told him that he believed that precedence on calling cards could be granted to either language, according to the bearer's choice.

#### *File No. 1535—Sign*

The Commissioner received a complaint that the sign on the outside of a building used by Information Canada to house its Expositions Division in Ottawa was in English only.

Information Canada agreed to replace the sign with a bilingual one.

## INSURANCE

### COMPLAINTS

#### *File No. 630—Staffing*

The complainant criticized the Department for not providing suitable services in French in the area of staffing.

The Commissioner studied the nature of the service provided by the personnel manager and concluded that his duties required a knowledge of both official languages. He therefore recommended the Department to modify its selection standards for the position of Personnel Manager to ensure that the next incumbent was bilingual. He also recommended that it develop a bilingual capability in the personnel area by creating a second position which would be bilingual or by offering language courses to the present manager as soon as possible.

The Department replied that it intended to create a second position at the beginning of 1973. Shortly afterwards, the Department informed the Commissioner that the position had been filled.

#### *File No. 934—Correspondence*

A French-speaking representative of a Montreal insurance company complained that the Department had sent him a letter in English with a request for reports.



The Department sent a letter of apology to the president of the company and informed the Commissioner that an error had been made, since its policy was to serve members of the public in the official language of their choice.

#### *File No. 1528—Competition Poster*

A complainant criticized the Department because it stipulated in a competition notice for the position of Central Registry Supervisor that a knowledge of English was essential. The complainant believed that the position should require either a knowledge of both official languages, or a knowledge of either French or English.

An investigation showed that a knowledge of English was essential because the Department communicated with insurance companies chiefly in English. The Commissioner considered that the authorities had taken due account, in this case, of the provisions of the Official Languages Act, since bilingual services were already being provided by the Department.

## JUSTICE

### SUMMARY

To meet the requirements of the Official Languages Act, the Justice Department has provided language training for 90 judges. According to the Department, service to the public is provided in English or French, "as much as it is possible at this time."

Responding to the Commissioner's questionnaire, the Department stated in November 1973 that its bilingualism policy was developed in 1967 and has since been intensified. The Department reports that it constantly evaluates the programme's implementation. There were no specific deadlines for implementing the policy, but the objective to increase the percentage of bilingual employees is to be reached by 1978.

French and English have been recognized as having equal status within the Department. In addition to the Public Service Commission's language training facilities, the Department has made provision for private tuition. Further, several French-language units have been established. Internal administration (meetings, memos, etc.) are carried out in both languages, "when possible". Supervision will be increasingly bilingual as more positions are identified bilingual.

Reporting on its institutional bilingual capacity, the Department said, "there are units or sectors where a favourable answer can be

given, but there are still sectors, particularly at headquarters, where the answer would be no". However, the Department expected to develop adequate bilingual strength "within the next few years". It stated further that services such as telephone communications, printed material, correspondence and signs, are bilingual.

## LABOUR

### SUMMARY

In November 1973, the Department assessed its institutional bilingual capacity as "not yet adequate". It informed the Commissioner that it had made "a great deal of progress to increase the use of French". In answering the Commissioner's questionnaire, the Department described some activities pertaining to its own official languages policy.

An Official Language Division has been established to promote the Department's official languages policy and to administer the government's directives. Apparently "...all levels of management have a responsibility for ensuring that official language policy and programmes are carried out. . ." Primarily the Co-ordinator of Official Languages evaluates the bilingual policy development.

The Department expressed many good intentions for the future. These included staff development courses in both languages and intensive language training for supervisors in positions identified as bilingual. The Department was trying to "maximize" the amount of bilingual internal communication. Internal memos were stated to be bilingual and employees were encouraged to initiate work in the official language of their choice. All major internal services such as personnel, library and general administration, were expected to provide those services to employees in both official languages. The Department was enriched by three French-language units.

The Department stated that services to the public were bilingual (including signs, letters and telephone communications).

### COMPLAINT

#### *File No. 1342—In Toronto*

A French-speaking correspondent reported that she had telephoned the Department's office at 74 Victoria Street in Toronto and had been unable to obtain service in French because none of the employees were able to speak the language.

The Department admitted that there was no one in its Toronto office capable of serving the public in French. It acknowledged that it should have told employees of regional offices without a bilingual capability to ask French-speaking clients to leave their telephone number so that their calls could be returned from the head office in Ottawa. The Department had now done so.

The Department was aware this was not an entirely satisfactory solution but it had not succeeded in reaching its goal of having one or two bilingual employees in every one of its offices in Canada. It had had great difficulty in recruiting bilingual clerical and switchboard staff, especially in the major cities where there is great competition for such people.

The Commissioner said he understood the Department's problems, but that the Official Languages Act nevertheless required it to provide bilingual services to the public. He therefore formally recommended that the Department take the necessary steps to recruit bilingual staff and provide its employees with language training so that all its regional offices would, in time, be able to serve the public adequately in both official languages.

He also commented on the Department's plan for the head office to return calls made in French to field offices. One major drawback, he said, was that a unilingual French-speaker would not be able to understand a unilingual English-speaker explaining in English that service was available in French from the head office. Nor could it be said that the French and English languages had equal status in a federal institution where one had to be an English-speaker to be served automatically in one's own language. The Commissioner therefore recommended that the Department should arrange for a message to appear in local telephone directories at the earliest opportunity, explaining how service could be obtained in French by making a collect call to Ottawa. He stressed that this should only be regarded as a temporary measure to enable French-speaking clients to obtain service in French automatically in cities such as Toronto where the local office lacked a bilingual capacity.

The Department replied that it believed its solution to the problem would, for the time being, be more practical than placing a message in local directories. Its bilingualism adviser had visited field offices to discuss the language requirements of positions and the extent to which bilingual capability could be increased through recruitment and language training.

The Commissioner reiterated his recommendation because he believed that it was a relatively simple procedure which was both practical and more effective than the one now being followed by the field offices.



### EVALUATION

*This Department's response to the Commissioner's investigations and recommendations has generally been prompt and thorough. It has handled more than 70 recommendations arising from special studies, and investigations of complaints, in a manner reflecting concern for its obligations to the public in Canada and abroad.*

There have, however, been difficulties and delays in the Department's efforts to attain certain goals: the provision of local forms for public use in both languages in Winnipeg is considerably overdue; the Department is not always able to obtain or provide equivalent professional training in the two official languages for officers going abroad; and, two years after the Commissioner's recommendation was submitted, bilingual reception staff in the Winnipeg area was still not available in all offices and positions.

In immigration offices abroad, some of the Commissioner's recommendations (specifically those dealing with telephone reception and the circulation of internal documents) related to materials or services which, since the integration of support services abroad, have become the responsibility of the Department of External Affairs. These are mentioned in the Commissioner's read-out on that department elsewhere in this chapter. The Department of Manpower and Immigration has established a comprehensive monitoring mechanism to ensure that its administrative guidelines are being fully respected both in Canada and at all its overseas offices.

Between April 1971 and March 1973, the Commissioner's Office undertook four studies of the Department's services in Montreal, Moncton, Winnipeg, and the National Capital Region, as well as a study of its operations in various immigration offices abroad. In October 1973, the Commissioner found that implementation of his recommendations for Montreal, Moncton and Ottawa-Hull was quite advanced. These recommendations ranged from provision of bilingual forms and publicity to the development, on a priority basis, of enough staff to deal with the various publics in the official language of their choice. As for the 18 recommendations the Commissioner made on services provided by several offices in the Winnipeg area, the most recent departmental survey indicated that most were in process of implementation. Of those outstanding in March 1972, three (dealing with contract forms, language training, and the provision of bilingual immigration services at Winnipeg airport) appeared to have been implemented. Two more (relating to telephone communications and reception services) had been fulfilled

in all centres where there is a known demand for bilingual services; in Winnipeg West and Winnipeg North, offices will have such services when posts having just been identified as bilingual are filled. The remaining centres, such as the University of Winnipeg, are prepared to transfer inquiries to the main Winnipeg Centre should the need arise. The task of rendering bilingual all unilingual local forms for communication with the public was, in October 1973, some 18 months behind the Commissioner's proposed deadline of April 1972, and the Department did not volunteer any completion date for this "ongoing process". It explained that the project had been seriously delayed by a prolonged vacancy in the position of Regional Forms Co-ordinator but this explanation hardly seems to justify such a long delay.

Of the 32 recommendations made in March 1972 about Canadian immigration offices overseas, the Department declares that only three had not been fully implemented by October 1973: one on equivalent job-training programmes for English-speakers and French-speakers, and two on the development and maintenance of current inventories of the language competence of its officers in the field. The Department reported that the in-house training courses it provides for employees being posted abroad are mostly given in English, with bilingual co-ordination; classroom sessions are supplemented by considerable periods of apprenticeship in Manpower Centres and elsewhere across Canada and abroad, and trainees would normally receive such on-the-job training in areas where their mother tongue was in regular use. As for finding enough bilingual officers to serve abroad, the Department anticipates that the substance of the Commissioner's recommendations will have been accounted for by the government-wide identification of language requirements of positions that was completed by 31 December 1973.

During the first three years, the Commissioner received 160 complaints against this Department. Of the 155 complaints settled, 27 revealed contraventions of the Act, and the Commissioner made 12 recommendations. It should be noted, however, that more than a hundred cases were identical grievances made by employees in Winnipeg and Edmonton regarding the implementation of the Department's bilingualism programme. The Department seems to have experienced serious communication and information problems in these areas.

The Department has encouraged French as a working language by designating all manpower and immigration centres in Quebec as French-language units. It should, however, make sure that bilingual service is always offered automatically in all areas where the French-speaking public is in a minority. The thorny problem of the availability of manpower training courses in both official languages also requires the Department's continuing attention.

## *SPECIAL STUDY—MONCTON*

The purpose of the study, conducted in the summer of 1972, was to examine the extent to which services in both official languages are provided to the public by the Department's Manpower Area Office and Immigration District Office in Moncton.

The situation with respect to signs, posters and publications was found to be thoroughly satisfactory, with two relatively minor exceptions: the unavailability of the Manpower registration card (MAN 712) in French and the fact that a commercial insurance folder was available in English only.

Arrangements to deal promptly with correspondence in both languages were in effect and involved minimal external translation. Similarly, both offices had taken the necessary steps to ensure that advertisements in the media were published equitably in French and English.

As regards the language capacities of personnel, the study revealed that both the Manpower and the Immigration offices had designated a sufficient number of properly distributed bilingual positions to provide reception, counselling and immigration services in the client's language of choice but in the Manpower Area Office one such position, that of Unit Receptionist, was occupied by a unilingual employee. Over and above their actual bilingual capacities, both offices seemed concerned to improve their linguistic flexibility through training and recruitment.

Given that the offices studied had shown commendable understanding and initiative in meeting the requirements of the Official Languages Act, the study brought to light only a very few minor weaknesses. The Commissioner recommended that:

- (1) the Moncton Manpower Area Office immediately order and keep on hand at all times a sufficient supply of form MAN 712, and make it available to its clients as is done for the English version, that is MAN 711;
- (2) the Department combine as soon as possible forms MAN 711 and MAN 712 in the same document;
- (3) the Immigration District Office request outside organizations to provide their advertising material in both languages, and that when available these documents be displayed in both languages;
- (4) henceforth, any person employed as a "unit receptionist" in the Moncton Office, and who is unable to speak French, be able at least to direct the client at all times to the bilingual receptionist capable of assuring service in the appropriate language;
- (5) the Department, whenever the bilingual receptionist is absent, take the appropriate measures to ensure that French-speaking clients of the Moncton Office can, at all times during this absence, be served in their own language once they address the "unit receptionist" by telephone or in person.



## COMPLAINTS

### *File No. 790—Summerside*

A French-speaking correspondent stated that at the Manpower Centre in Summerside, Prince Edward Island, the staff could not provide the public with services in both official languages, except for bilingual telephone service.

The Department informed the Commissioner that in this office two positions occupied by unilingual English-speakers had been designated as bilingual. It added that the information officer, who was not bilingual according to the Language Bureau standards, could nevertheless serve the public in French. In addition, one of the counsellors already had some knowledge of French, as he had been taking a language-training course for the past two years. Another of the counsellors had just registered for a French course, which was about to begin.

Since an employee could not be dismissed simply because he was not bilingual and since there was no other way of staffing the office with a bilingual employee, the director had been authorized to hire an additional bilingual counsellor, on a temporary basis, until there was a vacancy.

### *File No. 1264—Halifax*

The president of a French-language organization which has its head office in New Brunswick received a letter in English for the second time from the Local Initiatives Programme Division at the Department's Halifax office.

The Department explained to the Commissioner that an investigation of this complaint had revealed that the problem had arisen because of an administrative error rather than through any ill-will or ignorance of departmental policy in this regard.

To prevent such incidents from recurring, the officer in charge of Local Initiatives projects for the Atlantic region called a meeting of the staff and reminded them of departmental policy regarding correspondence. In addition, the manager sent a memorandum on this subject to all staff in the region.

### *File No. 997—Campbellton*

A French-speaking correspondent complained about the attitude of a receptionist at the Manpower Centre in Campbellton, New Brunswick, who claimed to be bilingual but who refused to speak French.

The Department informed the Commissioner that an investigation of this complaint revealed that both the full-time and the relief receptionists were bilingual and provided service of equal quality in French and in English. However, it did sometimes happen that these two persons were temporarily occupied with more urgent work; a third clerk, having only a limited knowledge of the French language, then replaced them as receptionist.

The Department added that steps had been taken by the manager to ensure that the public was served politely at all times in both official languages.

*File No. 1788—Moncton*

The complainant stated that six or seven employees in the Moncton office of the Department had been removed from language-training courses because they were needed at the office. He thought that this was unfair.

The Commissioner was told that the seven employees in question were withdrawn from language training because eight members of the staff were on sick leave. The Department believed that the only way to provide proper service to the public was to recall people on language training. The Commissioner was assured that the Department was doing its best to return the employees to language training as soon as possible.

*File No. 1785—Lachute*

An English-speaking complainant stated that at the Canada Manpower Centre in Lachute, Quebec, the receptionist could not answer her in English. She said she had to wait while about four people who came in after her were served, and when the counsellor finally saw her, he asked her to speak in French.

The Department told the Commissioner that the unilingual receptionist on duty when the complainant visited the Centre was a temporary employee who was soon to be replaced by a bilingual receptionist. The Department also explained that each counsellor specialized in certain occupational groups and interviewed only clients registered in those groups. This was probably why the complainant had had to wait. It was unfortunate that this had not been explained to her at the time. The Centre had since sent a letter of apology to the complainant and had invited her to discuss the matter further if she wished.

*File No. 1556—Ottawa*

An English-speaking public servant alleged that it was the policy of the Department that all its staff in Canada Manpower Centres in

Ottawa should be bilingual. He complained that language-testing procedures were arbitrary and that insufficient courses in French and English were available to unilingual staff in the lower grades.

The Commissioner explained to him that present government policy was that determination of linguistic requirements for public service positions was the joint responsibility of the Treasury Board and the department concerned. He pointed out that this policy was not in itself inconsistent with the Official Languages Act.

It seemed that the complainant had misunderstood the language-testing procedures, which appeared to have been the normal ones, and his misapprehensions were largely due to lack of information.

The Commissioner drew the Department's attention to the desire of its employees to have more information on its bilingualism policies and how they were applied in the Canada Manpower Centres in Ottawa. He also emphasized that this information should be readily accessible and presented in a way that was easily understood by the average employee.

#### *File No. 1432—Kirkland Lake*

A French-speaking person from Kirkland Lake (Ontario) complained that the receptionist at the local Manpower Centre spoke English only. Professional services provided there were less than satisfactory because only one of the counsellors was bilingual and, when he was absent or busy, French-speaking clients were unable to obtain services in their language.

The Department acknowledged that only one of the counsellors at this office was bilingual. It explained that the manager and another counsellor were engaged in language training and, as a result, the Kirkland Lake Centre would gradually improve its ability to deal with French-speaking clients in their own language. While recognizing that this was not entirely satisfactory, the Department nevertheless believed that it was complying with the provisions of the Official Languages Act. It was under the impression that the Act allowed departments time to build up an adequate bilingual capacity.

The Department also admitted that none of the employees in the support category at this office was bilingual and said it was not planning to send any employees in this category on French language training because counsellors had priority for such courses. The Department was, however, planning to hire a bilingual employee to look after reception.

The Commissioner pointed out that the Official Languages Act makes no mention of allowing departments time to comply with its



provisions. However, the Commissioner always tried to set realistic and reasonable time-limits on his recommendations.

Because 20 per cent of the population of Kirkland Lake is French-speaking, the Commissioner believed that services in French had to be provided now. He therefore recommended that the Manpower Centre comply with the provisions of the Official Languages Act as quickly as possible and asked the Department to send him a progress report within one month.

When he received the report, the Commissioner concluded that no real progress had been made in offering services to the public in French. He acknowledged the long-term value of language courses, but said that the French-speaking population of Kirkland Lake simply could not go without service in its language for three or four years. He therefore repeated his recommendation and asked the Department to implement it.

Several months later, the Department announced that it had hired a bilingual casual employee as receptionist. It reiterated its belief that the Kirkland Lake Manpower Centre was providing adequate professional services in French.

#### *File Nos. 911, 1286—Sudbury*

- A public servant alleged that the receptionist at the Manpower Centre in Sudbury greeted visitors in English only and that French-speaking visitors had to ask to be served in French. He added that the texts of many small signs at this office were also in English only.

The Department stated that its policy in that office was to serve the public in the official language of its choice. Since the majority of the public served by the office was English-speaking, employees answered the telephone first in English, then in French; the receptionist at the information counter and her replacement, and two of the other three receptionists in the office, were bilingual. The one unilingual receptionist could call on her colleagues for assistance.

Departmental policy required signs to be bilingual and this was made quite clear in the *Accommodation Manual*. An on-the-spot check by the Department after the receipt of this complaint revealed that the only unilingual signs were those at the information counter explaining the registration and appointment procedures. These procedures had been changed and the signs removed.

The Commissioner agreed that, provided that its personnel in public-contact positions were properly deployed, the Department was able to offer service to the public in the official language of its choice.

- A French-speaking complainant reported that he received telephone calls and letters in English alone from the Student Manpower

Centre in Sudbury. He also alleged that some of the signs at the main Manpower Centre in this city were in English only, and mentioned that the receptionist there spoke to him in English.

The Department informed the Commissioner that the switchboard operator at the main Centre usually answered in both languages, as did her regular replacement, who was also bilingual. It added, however, that difficulties could arise in the absence of these two persons. To prevent such incidents from recurring, receptionists would in future be required to refer all calls to those employees at the Centre who are capable of answering in the language used by the client.

During the investigation, it was also revealed that the Student Placement Office at the Sudbury Manpower Centre employed five students, one of whom was bilingual. Another was capable of conversing in French. The forms which had been sent to the complainant were available in both official languages.

The Commissioner recommended that the Department make certain that the composition and deployment of staff at the Student Placement Office of the Manpower Centre be such as to enable persons coming to the Centre to be served in both official languages at all times.

The Department agreed to remind staff at the Manpower Centre of the need to present a bilingual image to the public.

*File Nos. 1362, 1558—Toronto*

- A complainant drew the Commissioner's attention to a newspaper article describing the difficulties encountered by a group of visitors from Ecuador and Haiti, who had to spend the night at Toronto International Airport on 17 October 1972. Apparently, the Department did not have enough Spanish and French interpreters to handle them.

The Department informed the Commissioner that the incident described in the newspaper should be considered in its context. It resulted from a situation which the Department had sought to end when it decided to suspend temporarily the right of visitors to apply for landed immigrant status once they were in Canada. For several weeks before the suspension of the regulation took effect, the Department's services at the various international airports were overloaded with work.

Although, as a general rule, services provided in French represented only a small proportion of all services provided by immigration officers at Toronto International Airport, sometimes it happened that most of the patrons were French-speaking, because of point of origin of the flight. During the period in question, the overload of work had resulted in delays for the French-speaking visitors.

On the whole, immigration officers and receptionists appeared to have sufficient knowledge of the French language to meet the demand. Approximately 30 per cent of the customs staff were bilingual. However, when the demand for services in French was particularly high, Portuguese, Spanish and other interpreters who had a good knowledge of French were used.

The Department stated that a recurrence of the situation complained of was unlikely in view of the decision to change the regulations.

- An employer in Sturgeon Falls complained that he received a contract in English from the Department's Regional Office in Toronto, although he had requested a French copy. The complainant pointed out that the previous year he had had the same difficulty and the Canada Manpower Centre in Sturgeon Falls had apologized for the inconvenience. He felt it was time for the Toronto office to provide services to French-speaking Canadians in their mother tongue.

The Department informed the Commissioner that all forms used in promoting and administering the Training-on-the-Job Programme were available in both official languages and that the wrong form had probably been sent. The Department was sorry that the complainant had experienced difficulty in being served in French for the second time, and assured the Commissioner that French forms had now been sent to him.

Two weeks later, the complainant told the Commissioner that he had still received nothing and said he was afraid that his contract might be refused because he had insisted on obtaining it in French. He explained that his training courses were scheduled to begin in three days time and that it was important for his contract to be accepted before that date.

At the Commissioner's request, the Department got in touch right away with its Toronto office about this matter. The complainant was immediately informed by the latter that his contract had been accepted and that he could begin courses as planned.

The Department then explained that the reason for this delay was the time required for translation, as the facilities which the Translation Bureau had put at the disposal of the Department's Toronto office were inadequate. After receiving this complaint, the regional manager took steps to put matters right and to ensure that French-speaking clients receive satisfactory service.

#### *File No. 896—Winnipeg*

A French-speaking person stated that he had gone to the Winnipeg Manpower Centre for information on the courses being offered. An employee had told him in English that no one at the Centre could provide him with this information in French. The complainant main-



tained that this was untrue and that the Centre employed a number of bilingual public servants who could have been called upon.

The Department explained that, because of the large number of persons visiting the office every day, the investigation had unfortunately not made it possible to determine the exact circumstances surrounding the incident or to verify the accuracy of the complaint.

The manager stated, however, that the receptionists were quite familiar with the Department's policy, which required that the public be served at all times in the language of its choice. To ensure that a similar incident did not recur, he again reminded all his employees of the importance of this policy.

The Department pointed out that certain positions at the Centre had been assigned to personnel capable of providing services in both official languages. The employees in question were the receptionist at the information desk, a clerk responsible for liaison with the federal Public Service Commission, and a typist. The services of three bilingual counsellors were also available at the Centre.

*File Nos. 1344, 1352, 1364-1421, 1431, 1445-1486—Winnipeg and Edmonton*

In October 1972, a number of employees of the Department in Winnipeg and Edmonton expressed their concern at a departmental staffing policy for their region. In order to meet the Treasury Board's 1975 target percentages of bilingual employees in bilingual districts, by category of employment, the Department proposed to recruit only bilingual candidates at entrance levels, placing particular emphasis on receptionists and others who dealt with the public, until the targets had been achieved.

None of the present staff would be displaced. It was estimated that to fill positions vacant through normal attrition at Edmonton and Winnipeg, approximately seven bilingual people a year would be hired at each Canada Manpower Centre until 1975, or a total of 20 in Edmonton and 22 in Winnipeg. The staff of the Winnipeg Manpower Centre now numbered 167, including six bilingual employees. Language training was to be offered to 44 of them by 1975. The staff of the Edmonton Manpower Centre numbered 135, including three bilingual employees. Language training was to be provided for 35. The complainants believed that the Department's policy contravened the spirit and intent of the Official Languages Act.

Two members of the Commissioner's Office visited the Manpower Centres in Edmonton and Winnipeg and discussed these complaints with management and local staff representatives separately in order to get all the relevant details.

The Commissioner informed the complainants that the Official Languages Act did not require all public servants or all employees at every level to be, or to become, bilingual. The Act called for "institutional" bilingualism, which meant that each federal institution had to ensure, where the Act requires, the provision of service to the public in both official languages. The Act set out no percentage requirements for bilingual employees by employment category: it simply required that hiring and promotion procedures for positions involving service to the public took due account of the requirements of the Act.

The government had decided that the determination of linguistic requirements for public service positions would be the joint responsibility of the Treasury Board and the department concerned. The Public Service Commission, in accordance with the Public Service Employment Act and the requirements of departments, prescribed selection standards, including those relating to language, and determined the language knowledge of candidates. The Treasury Board and departments could set management objectives for bilingualism, which exceeded the requirements of the Official Languages Act concerning service to the public, without contravening the Act.

The Commissioner discussed the complaints with the Department and made a number of suggestions. He pointed out the need for better communication with staff in order to dispel unfounded but understandable fears about job security and opportunities for advancement.

He also discussed the availability of second-language training and suggested that it should be offered to everyone who wanted it and who might conceivably need it to pursue a useful and fulfilling career. He emphasized that staff who were likely to be in contact with the public should be accorded the highest priority.

He reminded the Department that the success of institutional bilingualism depended on the willing support of public servants. Such support was most likely to be obtained if the provisions of the Official Languages Act were properly explained to employees and were seen to be clear, just and humane. It was equally important that there should be complete understanding of administrative procedures designed to achieve institutional bilingualism, and the Commissioner advocated consultation between management and staff associations over both policy-making and implementation.

#### *File No. 1599—Regina*

A representative of a Saskatchewan French-language association complained that none of the employees at the Regina Manpower Centre

could express themselves in French. The association he represented had to deal with the Centre to discuss such matters as the Local Initiatives Programme, and wished to be served in French.

When the Commissioner made inquiries, the Department told him that the regional administration would have certain positions designated as bilingual, so that the Department's programmes and services would be available in both French and English in accordance with the requirements of the Official Languages Act. In the meantime, an employee of the Regina Manpower Centre had started taking language-training courses. The possibility of offering French courses to other employees of the Centre, if necessary, was also being contemplated.

The Commissioner was assured that the manager of the Regina Centre was able to arrange services in French immediately, if the complainant would be kind enough to get in touch with him. Furthermore, those in charge of the Local Initiatives Programme and the Training-on-the-Job Programme at the Regional Office could provide services in both languages on request.

*File No. 662—Edmonton*

A French-speaker reported that he had on several occasions spoken to the Manpower Centre in French and that the officials had always replied to him in English. He had then asked to speak to an employee who knew French. This service had been refused him on the pretext that he spoke English well enough to make himself understood.

The Department informed the Commissioner that the policy in force at this office was to serve each client in the official language of his choice. Accordingly, all employees who did not speak French had access to a list of bilingual clerks and counsellors whom they could call upon when dealing with French-speaking clients. This list included the names of two manpower counsellors and four senior clerks with a good knowledge of French. Three more counsellors and one administrator possessed a sufficient knowledge of the language to provide at least a rudimentary service in French.

This had provided the Edmonton Manpower Centre with a sufficient bilingual capacity to meet the demand for French services—a demand which had until then been quite small. Since it foresaw an increase in this demand, the Centre had taken steps to increase the number of its bilingual employees.

To avoid the recurrence of similar incidents, the manager of the Edmonton office again impressed upon his employees the importance of providing the public with service in both official languages and reminded them of the Department's directives on this subject.



*File No. 778—St. Paul*

A complainant deplored the fact that there was no service available in French at the counter at the St. Paul (Alberta) Manpower Centre and that signs were in English only.

The Department explained to the Commissioner that the policy at this office was to serve each client in the official language of his choice. One of the six positions at this office was bilingual, and had been filled since January 1972. The receptionist, too, was bilingual.

As regards the unilingual English signs, the Department pointed out that it was not always easy to enforce its policy when its offices were located in buildings that were not owned by the government.

Following the complaint, the Department of Public Works brought this matter to the attention of the owner of the building, who agreed to make the recommended changes. It was decided to put up bilingual signs.

The Commissioner said that he was satisfied with these steps, but recommended that the Department increase the number of bilingual counsellors to ensure that service in French would be available at all times and that it would be as efficient as the service provided in English.

The Department took note of this recommendation and informed the Commissioner that it would try to recruit a second bilingual counsellor as soon as there was a vacancy.

*File No. 975—New York*

A Canadian student in the United States reported that he had twice written in French to the Canadian Immigration Service in New York for information concerning the formalities his wife would have to go through in order to become a naturalized Canadian. He stated that the office had replied in English and that the documents sent to him were likewise in English. He concluded from this that the New York office was unable to provide services in both of Canada's official languages.

The Department expressed its regret that its office had replied to the complainant's letters in English. It also pointed out that the Consul had once more brought to the attention of his staff the importance of serving the public in both official languages. He assured the Commissioner that measures had been taken to ensure that replies were always written in the language used by the correspondents. Finally, the Department informed the Commissioner that the special assistant to the Minister had sent the complainant a booklet entitled *Comment devenir citoyen canadien*, together with the name and address of the official in the Department of the Secretary of State responsible for dealing with questions of naturalization.

### *File No. 731—Press Releases*

The secretary in the office of a French-language newspaper in the West criticized the Department for having sent him press releases in English.

The Department acknowledged that everyone had a fundamental right to be served in the official language of his choice, and issued instructions to this effect to the regional general managers. The documents in the case in question all related to new programmes designed to stimulate the labour market and create new jobs. These temporary programmes were not part of the Department's current operations and therefore gave rise to an increased volume of correspondence with the public. The large number of press releases which had to be issued without delay, the scarcity locally of bilingual employees able to prepare texts in French and the fact that the Department had no translation service of its own compelled it to issue its releases in English only.

To alleviate this difficulty, the Department had made arrangements with the Department of the Secretary of State for a commercial firm in Winnipeg to handle departmental translations until the government opened a regional translation bureau. In addition, a position for an Information Officer in the regional administration that had just become vacant had been designated as bilingual. This position would be filled as soon as possible.

### *File Nos. 830, 1591, 1615—Correspondence*

- A French-speaker brought to the Commissioner's attention a letter the Department had sent to him from Ottawa. This letter, written in extremely poor French, was in fact a literal translation from English.

The Department admitted that the French in this letter left much to be desired and regretted that the letter had been sent. It added, however, that this type of incident might recur as employees now wrote letters in their second language when they had achieved the level of bilingualism judged adequate by the Public Service Commission's Language Bureau.

The Commissioner recommended that documents intended for the public be systematically revised by someone qualified to make the necessary corrections. Such a step would benefit employees wishing to improve their knowledge of the second language and would prevent the recurrence of similar incidents.

Following this recommendation, a survey was made of the Department's various divisions and branches in Ottawa. It showed

that they were able to provide systematic revision in French as well as in English, and that such revision was normally provided in day-to-day work. However, it was felt necessary in certain cases to appoint a qualified person to revise within his own sector any text intended for the public that had been drafted by an employee in a language other than his mother tongue.

- A member of a French-language cultural association sent the Commissioner a copy of a letter in English which his association had received from the Canada Manpower Centre's Student Placement Office at Algonquin College in Ottawa. Also, although the envelope had been addressed to him in French, the return address stamped on the envelope was in English only.

The Department said that the letter had been prepared in both French and English, and agreed that each employer should have received it in the language of his choice. In this instance, the wrong version of the letter had evidently been sent out by mistake. The Department had again reminded the employees of the Student Placement Office that it was important to serve the public in both official languages, and it assured the Commissioner that this office was fully capable of offering all its services to the public in both official languages. The Department added that a bilingual stamp for the return address had been obtained and was in use.

- The director of a Local Initiatives project in Ottawa received a circular letter in English alone from the Department and had to have it translated before distributing it to those participating in the project.

The Commissioner's investigation revealed that the circular letter had been inadvertently sent in English. This form, as well as all others used for the promotion and administration of the programme in question, was available in both official languages. The Department regretted the inconvenience caused by this error and tightened controls to prevent the recurrence of such incidents.

#### *File No. 863—Language Training*

An English-speaking correspondent from Sudbury said she believed that the Department should provide tutoring in French to English-speaking immigrants, especially in bilingual areas.

The Commissioner made inquiries of the Department and was told that immigrants wishing to learn one of Canada's official languages were given assistance by the Department and by the Citizenship Branch of the Department of the Secretary of State.

The Department of Manpower and Immigration's policy was to provide language training to immigrants who were having difficulty in



obtaining suitable employment because their knowledge of English or French was inadequate. Subject to certain conditions, language training was given under the Canada Manpower Training Programme. In addition, Canadian workers moving to parts of the country where the language of work was different from theirs might be eligible for language training under similar programmes, if they could not find employment because of a language handicap.

The Citizenship Branch of the Department of the Secretary of State assisted the provinces in teaching English and French to adult immigrants, and was discussing with the provinces a mutually acceptable form of federal aid towards the teaching of official languages to immigrant children. Many local school boards, of course, were providing language courses on a part-time basis.

The Commissioner communicated this information to the correspondent.

#### *File Nos. 1068, 1217, 1235, 1332—Retraining Courses*

The complainants were upset that the Department did not offer French-speaking students suitable retraining courses in French at the Algonquin College Retraining and Counselling Centre in Ottawa. They said that manpower counsellors did not always direct students towards courses given in French and that advertising for these courses was inadequate. They could not understand why the number of students enrolled did not exceed 40, since there was a large French-speaking public in the region. Finally, they pointed out that student services were offered mainly in English.

At the Commissioner's request, the Department made a study of the situation and took steps to correct some shortcomings and to improve the quality of its services in French.

First of all, the Department attempted to find out whether or not its directive concerning the language of instruction was being complied with in the Canada Manpower Training Programme. The purpose of this directive was to let persons living in bilingual regions take training courses in the official language of their choice, when the number interested justified it. When numbers were insufficient, arrangements could be made for a trainee to take a course in his own language elsewhere, sometimes even in another province.

As a general rule, a minimum of 15 students was required for a course to be given. This number applied to English as well as French trainees.

Furthermore, the provincial departments of education had set a maximum class size of 20 students for each group of trainees. The Department felt that these two figures—15 and 20—struck a fair

balance between the maximum number of students a teacher could handle and the minimum required by economic considerations. In addition, the minimum number of students per course was sometimes quite flexible. Some courses could begin with fewer than 15 trainees. In actual fact, the majority of courses were organized to suit the number required. Experience had shown that it was easier to find candidates when definite starting and closing dates could be announced for courses. Thus, in 1971 for example, the Department had purchased 240 places in courses given in French by Algonquin College. However, only 159 persons had indicated interest in these courses. In this case, 66 per cent of the places had been used, as compared to a national average of 80 per cent.

The "customer's" choice as to the language in which he wished to receive instruction was the only criterion by which the course in which he was to be enrolled could be determined. As far as financial and teaching considerations permitted, the Department purchased places in the training courses on the basis of trainees' preferred language of instruction.

The Department was, however, concerned about certain shortcomings in services offered to students, that is to say, services that were not under its jurisdiction but came under the administration of Algonquin College. Information the Department obtained from the College indicated that it was looking into the situation and had either already taken steps to correct it, or intended to do so.

A bilingual counsellor had to spend one day a week at the Retraining Centre helping French-speaking students. The College was also studying the possibility of hiring a bilingual nurse part time, or arranging for a bilingual nurse from another campus to visit the Retraining Centre periodically. As for the library, a new position had just been created and the College was trying to recruit a bilingual incumbent.

As for manuals and working tools, the College had taken the initiative of adapting English manuals for use in French; this had been done to meet its own needs, and with its own funds. The College was also participating in a similar project in co-operation with Quebec CEGEPs as a member of the Association of Canadian Community Colleges.

An examination of notices and posters was conducted at the Retraining Centre and steps were taken to replace unilingual posters with bilingual ones. The College's Board of Governors had also discussed the possibility of issuing memoranda in both official languages.

Finally, the Department said it was in a position to offer services in both official languages in its Ottawa office. In addition, the Canada Manpower Centre in Ottawa had in the past published several adver-

tisements and press releases concerning courses offered in French and in English, and intended to step up advertising, in the media and at the Canada Manpower Centre, of training courses offered in French.

#### *File No. 1570—Form*

A French-speaker complained that a contract in English under the Training-on-the-Job Programme had been sent to him by the Canada Manpower Centre in St. Boniface.

The Department informed the Commissioner that this contract had inadvertently been drawn up in English on Form MAN 111 7 E. A new contract, in French, had immediately been forwarded to the complainant on Form MAN 111 7 F.

To prevent the recurrence of such an error, the Department issued directives asking its personnel to make sure that queries and correspondence were answered in the language in which they were received.

#### NATIONAL ARTS CENTRE—"A Touch of Class"

#### *EVALUATION*

*The National Arts Centre, as befits a place for civilized people, tends to rectify infractions of the Act with celerity and poise.*

*The Commissioner's report of a special study of the National Arts Centre in May 1973 contained five recommendations dealing with personnel, contracts, signs and printed material. In October 1973, all recommendations had been acted upon, although three remained to be fully implemented. The four minor complaints received by the Commissioner were settled by the Centre immediately.*

The National Arts Centre reported that signs on its premises were bilingual and were being checked on a continual basis; all forms had been reviewed and corrected where necessary, and information materials originating from within the Centre were released in both official languages. Unfortunately, this was not always the case with publicity and material produced by outside agencies and, generally speaking, this question remained to be settled.

The recommendation dealing with contracts had not yet been fully implemented since the contract with the Capital Convention and Tourist Bureau, Inc., is due for renewal only in 1974. However, the Centre had been assured by the Bureau that it tried to have an equal display and availability of French- and English-language information



materials. The Bureau had also indicated that it had adequate personnel available to provide service in both official languages at all times.

On the question of the Centre's own personnel, the Corporation reported that the restaurant and café now had adequate staff to provide service automatically and at all times in both English and French. In addition, the Centre was making progress in acquiring bilingual nursing staff; at the time of reporting, three out of four nurses were bilingual.

### *SPECIAL STUDY*

The Commissioner undertook a study of the National Arts Centre with the aim of reviewing the Centre's policies, plans and administrative procedures for the provision of bilingual services to the public.

The study revealed the serious manner in which the Centre has, from its inception, provided bilingual services to the public, and has, through its efforts, generally complied with the spirit and intent of the Act. Except in a few cases, the entire range of the Arts Centre's bilingual services to its publics was offered automatically and as a matter of course in both official languages. Though it did not fall within the purview of the study to inquire into cultural programming and balance, it is worth noting that the Centre was very mindful of the need to give equal attention to the two official languages of Canada in programming. Noteworthy are the Centre's efforts to attract the French-speaking community of the National Capital Region to the Centre and particularly to French-language performances.

Areas of weakness, in which the Centre did not measure up to its own high and ambitious standards for the provision of bilingual service, generally resulted from oversight and lack of attention and not from any apparent absence of intent or desire to comply with the Act. The shortcomings related to visual aspects, information and publicity services, and personnel.

All forms and other similar printed matter intended for the public were produced appropriately in the two official languages but those in use by the Box Office left something to be desired as far as correctness and presentation were concerned. All interior and exterior signs were bilingual, but signs and notices used by groups of artisans exhibiting and selling handicrafts on the exterior premises of the Centre may have contravened the Act. Defects noted in the presentation and distribution of publicity and information materials under the Centre's own auspices were of a minor, if not inconsequential, nature. The French texts of promotional and commercial advertisements were not always presented as well and as completely as their English-language counterparts. Nor

did information and publicity materials displayed on the Centre's premises always include a sufficient and representative sampling of French-language materials. This oversight was rather serious on the premises occupied by Canada's Capital Visitors and Convention Bureau, Inc., especially as it affected the travelling public. In all other respects, it was apparent that the National Arts Centre has scrupulously endeavoured to ensure the equality of status of the two official languages in its public relations activities.

The most important weakness in the preservation and promotion of the equality of status of the two official languages at the Arts Centre pertained to personnel, particularly nursing and catering personnel. It is of interest to note that the Centre's stated policy was to fill, as far as possible, all public-contact positions with bilingual incumbents, and indeed in particular sectors this was achieved. On the basis of data provided by the Centre, the team estimated that 80 per cent of incumbents of all public-contact positions had a bilingual capability. In the nursing and catering personnel categories, however, this high level of bilingualism had not been achieved; the team viewed these as areas of special concern since they had given rise to complaints. None of the nursing personnel possessed even a rudimentary knowledge of French. The Centre had been grappling during the past few years with the problem of developing an adequate bilingual capacity in its Opera Restaurant and Café but hoped to solve the problem by mid-1973 by undertaking a systematic campaign to recruit and maintain the number of bilingual staff. The team noted in regard to these operations that the Centre had neglected to use language-training programmes in one or two important instances where they could have assisted key public-contact employees in the catering services to discharge their duties better in the light of the Official Languages Act. Admittedly these programmes had not been an important or even very necessary tool in the Centre's efforts to develop its overall bilingual capability.

The Commissioner recommended that:

#### *Forms*

(1) the National Arts Centre review by 30 September 1973 all its forms and similar material in use with the public, giving priority to those at the Box Office, with a view to correcting linguistic errors, thus better assuring the equality of status of the two official languages;

#### *Signs*

(2) in the event artisans are invited in the summer to display and sell crafts on the exterior premises of the National Arts Centre, the Centre determine to what extent signs and notices are erected to publicize these activities, and if they are, take the necessary steps to ensure that they are suitably bilingual;

### *Publicity and Information Materials*

- (3) the National Arts Centre in its promotional and publicity services
- (a) ensure that equal prominence be accorded to the French and English texts of promotional or commercial advertisements and announcements;
  - (b) ensure, wherever possible, that promotional and information materials displayed and made available on the Centre's premises on behalf of other agencies, be provided equally in the two official languages;
  - (c) make, with regard to booking national tours of the NAC Orchestra, publicity and programme materials available in both official languages automatically to all local organizers;

### *Contracts*

- (4) the National Arts Centre
- (a) include a clause in the contract negotiated with Canada's Capital Convention and Tourist Bureau Inc., for the provision wherever possible of an equal display and availability of French- and English-language information and other printed material;
  - (b) determine whether sufficient personnel is present at the Convention and Tourist Bureau to provide service automatically and at all times of operation, in the two official languages;

### *Personnel*

- (5) (a) the National Arts Centre take immediately the necessary steps to ensure that when nursing services are offered to the public, they be made available automatically and at all times in the two official languages;
- (b) the National Arts Centre take the necessary steps, including recruitment, to provide in its Restaurant and Café by 31 December 1973, adequate services in the two official languages at all times and automatically;
- (c) until such time as sufficient bilingual capability is present in the Restaurant and Café to assure an automatic and continuous bilingual service, the National Arts Centre devise procedures for suitably deploying existing and newly recruited bilingual personnel, and formulate instructions to unilingual staff advising them how to arrange for the courteous and efficient provision of services in the two official languages.

## *COMPLAINTS*

### *File No. 1164—Programmes*

An English-speaking lady complained to the Commissioner that the programme for a French play at the National Arts Centre in Ottawa was entirely in French and there was no synopsis of the plot in English.

The Centre informed the Commissioner that its policy was to publish programmes for plays in the language of the play. Programmes for musical performances, opera and ballet were bilingual. Synopses



were normally only included for opera, ballet and classical plays when the plot was so complicated that it could hardly be understood without one. All the Centre's programmes for plays did, in fact, at one time include a synopsis in the other language but patrons had complained that this was language discrimination.

#### *File No. 1649—Correspondence*

A member of a French-language cultural organization complained that his organization had received an envelope from the National Arts Centre with the unilingual phrase "Printed Matter Only" stamped on it.

Upon investigation by the Commissioner, it was found that the Centre did indeed have stamps in each of the two official languages. Its officials maintained, however, that it was too time-consuming to sort mail according to the language of addressee, which, in any case, could not always be established with certainty.

The Centre therefore gave instructions to its staff to use only bilingual stamps.

#### NATIONAL CAPITAL COMMISSION—"A Tale of Two Cities"

##### *EVALUATION*

*In the last three years, the Commissioner received twelve complaints against the NCC. The agency was resourceful in finding solutions to complaints, though settling some took nearly as long as a skating promenade along the Rideau Canal in February.*

*The National Capital Region has a symbolic importance and must reflect the bilingual image of the country. To that end, the National Capital Commission has assumed its responsibilities. The Commissioner happily recalls the promptness with which the agency acted on recommendations he made to it in 1971 following a special study of the exterior signs under its jurisdiction.*

The NCC developed a bilingualism programme in 1966 and set 1978 as its completion date. Its objective are to meet the requirements of both the Official Languages Act and the Treasury Board guidelines. The Secretary of the NCC is in charge of Bilingualism Policy Development at Head Office and supervisors are in charge in field offices.

The NCC informed the Commissioner in November 1973 that person-to-person communication and forms, signs, publications and other material were in both official languages.

The NCC stated that internal communications were bilingual, as were most manuals. It added that the NCC encouraged French-speaking employees to use French as a working language, although most supervision was carried out in English.

## COMPLAINTS

### *File No. 1094—Gatineau Park*

The complainant objected to the Commission's failure to ensure that the tea-room waitresses at Moorside, in Gatineau Park, could communicate with the public in both official languages.

The Commission informed the Commissioner that the tea-room in question was rented to the Gatineau Historical Society, a voluntary body, and that six of the eight waitresses could carry out their work in French.

The Commissioner nevertheless asked the NCC to suggest to the Gatineau Historical Society that it use its staff in such a way that French-speaking customers are served promptly in their own language.

### *File No. 1170—Mill Restaurant*

A French-speaking correspondent drew the Commissioner's attention to the many errors in French on the menu of the Mill Restaurant in Ottawa, which is operated by a concessionaire of the Commission.

The NCC told the Commissioner that the menu contained errors in English also. It had already been reprinted once with corrections but evidently not too successfully. The NCC would impress upon the lessee the need to make all the necessary corrections at the next printing.

### *File No. 1341—In the Gatineau Park*

An English-speaking complainant stated that he was rather horrified to find that English signs seemed to be almost entirely lacking at the Champlain Lookout and the Brulé Lookout in Gatineau Park.

The Commission admitted that the word "Lookout" had been omitted from two signs. These signs consisted of a number of planks or panels and when it was discovered that the planks bearing the word "Lookout" were missing, it was decided to erect the signs as they were and insert the other panels later. Since the Parkway was shortly to be closed for the winter, the NCC would remove the signs for refinishing and re-erect them as they should be next season. The Commissioner was told that another sign which did not comply with the Official

Languages Act would also be corrected. The NCC explained to the Commissioner that there were signs entirely in one language or the other elsewhere in the Park but these appeared in pairs, a system frequently used when a single sign with the message in both languages would be difficult to read quickly.

The Commissioner made a formal recommendation to the Commission that all signs erected in the spring of 1973 should meet the requirements of the Official Languages Act.

#### *File No. 1500—Initials*

A French-speaking resident of Ottawa complained that the Commission's initials appeared only in English on its storage and garbage containers.

The Commission told the Commissioner that this matter would be settled by the systematic replacement of the initials by the NCC symbol. A follow-up six months later showed that this programme was well under way and would be completed before 31 December 1973.

#### *File No. 1510—On the Ottawa River Parkway*

A complainant objected to the fact that two signs on the Ottawa River Parkway were in English only.

The Commission said that it continuously reviewed its signs and that the two unilingual signs would be corrected under its current programme of making signs bilingual.

The Commissioner reminded the NCC that he had made a special study of its signs and had sent it a report in April 1971. This report contained a recommendation that all exterior signs in the National Capital Region which came under the NCC's jurisdiction should be made bilingual. The NCC had told him in March 1972 that the recommendation had been complied with. The Commissioner therefore set a deadline of March 1973 for changing the two signs complained of, and the NCC agreed.

#### *File No. 1532—Invoice*

A French-speaker complained that the Commission sent him an invoice on which the date, the post office box and the name of the post office were in English only.

The NCC informed the Commissioner that it had decided to re-programme the computer used for invoicing. The date would be changed to show the day, month and year in figures, and the address would be in the language of the client.



### *File No. 1736—Parking Receipt*

A French-speaker complained that the receipt issued to him at the Commission's parking lot at the corner of Queen and Kent Streets in Ottawa was in English only.

The NCC quickly put this right and sent the Commissioner a copy of the bilingual receipt which would be used henceforth.

### NATIONAL DEFENCE—"In Which We Serve"

#### EVALUATION

*The Department itself recognizes that much work still remains to be done in achieving full institutional bilingualism, yet National Defence is marching ahead not only to implement a detailed bilingualism programme; it helps the Commissioner investigate complaints thoroughly, in general handling them expeditiously and acting upon the Commissioner's recommendations with vigour and disciplined imagination.*

With respect to the 10 recommendations ensuing from the special study of Canadian Forces Base Uplands (Ottawa) the Department reported in October 1973 that it had implemented five of them fully and four partially, and that it had found an alternative means for implementing the one dealing with the Base's translation needs. Although the Department failed to meet the target date of 1 September 1971 for the "bilingualization" of its outdoor signs, it has made considerable progress in meeting the broad requirements of the Official Languages Act, particularly in terms of bilingual personnel services and other visual elements of bilingualism, such as markings, etc.

In regard to the four partially implemented recommendations, the Department reported that all signs and 90 per cent of the letterings on aircrafts would be bilingual by the end of 1973. It has taken steps to improve bilingual services to the public and to its civilian and military personnel, and is currently engaged in identifying and designing bilingual civilian positions.

The Department found that, for reasons of administrative efficiency, it was unable to implement the recommendation that a translator with a bilingual secretary be assigned to the Uplands Base. The headquarters Translation Bureau therefore continues to provide for all the Base's translation needs. This service has been markedly improved through the establishment of direct communication between the Base, the Director of Terminology and Translation Services at Headquarters and the Translation Bureau.

Between April 1970 and 31 March 1973, the Commissioner's staff processed a total of 60 complaints directed against the Department, 39 of which were found to be justified. The Commissioner's Office has conducted investigations at Bagotville and Trenton which resulted in a number of recommendations. Those recommendations have been or are being implemented. The Department, however, on its own initiative, and almost concurrently with the passage of the Official Languages Act, developed and is implementing a comprehensive and phased bilingualism and biculturalism programme extending over a 15 year period. The Department's exhaustive planning provides a high degree of assurance that maximum benefits could be derived from its available bilingual resources.

The Bilingualism and Biculturalism Division plays a key role in settling complaints and sees to it that, wherever feasible, the Commissioner's recommendations, meant for a particular unit, are implemented throughout the whole of the Canadian Forces.

The government announced in its White Paper *Defence in the 70's*, published in August 1971, that "twenty-eight per cent of the Canadian Forces establishment is being designated as francophone." While the adoption of such a policy has widened the scope of satisfactory service for French-speakers, some English-speaking employees took exception to a circular published under the authority of the Chief of the Defence Staff which acknowledged that "If it is necessary to deviate from the strict order of merit to achieve an increase in francophone representation, a non-francophone who would otherwise be promoted during the promotion year must be bypassed. . ." While the Commissioner did not find any breach of the letter, spirit and intent of the Act, the cases showed a certain inability on the part of the Department to see the need for explaining the rationale behind major policy decisions *when* they are taken rather than *after* their impact gives rise to the worst suspicions among the individuals they affect.

## COMPLAINTS

### *File No. 5065-52/N3—Follow-up—Bagotville*

In his *Second Annual Report* (pp. 191-4), the Commissioner reported that he had made certain recommendations to the Department after an on-the-spot investigation of complaints concerning bilingualism at Canadian Forces Base Bagotville, that the Department had received these recommendations favourably and that he was following their implementation closely.

This summary is a report on the status of the implementation of the recommendations.

Recommendations 1, 2, 4-9, 11-12b, and 13b have been implemented or are being implemented on a continuing basis. They dealt respectively with: implementation of a programme to provide bilingual services on the Base; appointment of an adviser on bilingualism; a better balance of French books in the library; showing of French-language movies; language contracts and agreements made with French-speakers for Base concessions; language of documents dealing with married quarters and mobile parks; English lessons for servicemen; increased French-language content of the *Bagotville Phare-Beacon*; bilingual publications and documents for the administration of civilian employees; French-language publications, orders, administrative bulletins, etc., for units with French-speaking personnel; employment of sufficient bilingual administrative staff to ensure proper service in English; and services to 433 Escadrille tactique de combat (ETAC) personnel.

The Department reported that it was still actively considering Recommendation 3 concerning the establishment of a translation unit on the Base.

With regard to Recommendation 10, which suggested a revision of radio station CKBG's licence to permit French programming, the Department reported that when the station's licence was renewed in 1972 permission was granted for French programming. There had been little response, however, from French-speaking people to a request for announcers (the station operates with unpaid volunteer labour). A new English-language commercial station had begun broadcasting in the area, and the closing down of CKBG (originally set up because of the lack of an English-language station within range) was being considered.

Regarding Recommendation 13a, which required that unilingual English-speaking personnel posted to 433 ETAC be volunteers, the Department replied that its regular policy ensured that unilingual English-speakers were not posted to French-language units unless an urgent operational requirement existed and a qualified French-speaking person could not be found. As a general rule, only unilingual English-speakers who had indicated a willingness to work in French were posted to 433 ETAC, and only after they had been given the necessary amount of French language training. Every effort was made to minimize the number of non-volunteers and to increase the number of French-speakers in the unit.

Finally, in reply to Recommendation 13c, which called for a speeding up of translations, the Department said that publications were being translated as quickly as possible but that it could not set a target date because of the heavy volume of translation that had to be done.



Several complainants alleged that the policy on bilingualism and biculturalism adopted by the Department discriminated against English-speaking members of the Canadian Armed Forces. In support of their contention, they drew the Commissioner's attention to a widely publicized letter which was issued under the authority of the Chief of the Defence Staff with the object of providing information about the promotion system and its relation to bilingual and bicultural goals. The complainants particularly objected to the following statement in the letter:

If it is necessary to deviate from the strict order of merit to achieve an increase in francophone representation, a non-francophone who would otherwise be promoted during the promotion year must be bypassed. To protect this individual, his name is placed at the head of the subsequent year's list and he is promoted at the first opportunity unless there appear, ad interim, justifiable reasons for denying promotion.

In its reply to the Commissioner, the Department explained the rationale behind the policy. It maintained that the small representation of French-speakers in the Canadian Armed Forces had been directly related to inequality in promotion opportunities offered to them and to inadequate socio-cultural facilities in French. The Department's present policy was essentially based on the recommendations of the Royal Commission on Bilingualism and Biculturalism and on the requirements of the Official Languages Act. The Department also had the obligation to see that French, in the same way as English, was increasingly used as a working language, and that in all activities, in all ranks and at every responsibility level, the participation of French-speakers was proportional to their national representation, which was 28 per cent before the last census. In short, the Department's policy was aimed at promoting Canadian unity by meeting the requirements of the Official Languages Act and by offering English- and French-speaking persons opportunity to pursue a career in the Canadian Armed Forces in their mother tongue.

The Commissioner passed on these details to the complainants and gave his opinion that the promotion policy to which they objected did not involve a contravention of, or a failure on the part of the Department to comply with, the Official Languages Act. In his view, he added, the Canadian Armed Forces were trying to provide equal opportunity to members of both language groups and thus give practical effect to Section 2 of the Official Languages Act.

The Commissioner also told the complainants that their criticisms clearly showed the need for honest and thorough explanation of the

bilingualism and biculturalism policy of the Canadian Armed Forces and how it was to be applied. He felt that the wide dissemination of the departmental letter, and other measures adopted showed that the need had been recognized by the authorities.

*File Nos. 1127, 1230, 1361—Language of Work*

• A French-speaking union representative employed at 202 Workshop-Depot in Montreal claimed he was obliged to write in English the directives covering the manufacture of equipment in different sections of the workshop, that most of the sections of the unit were identified in English only and that nearly all internal forms were solely in English. The complainant's letter was signed by several other employees.

The Department sent a team of investigators to study on the spot the manner in which its policy on bilingualism was being implemented in this military workshop.

The Department described the role and composition of 202 Workshop-Depot, pointing out that it was not a French-language Unit but rather a National Unit in the Department's bilingualism programme, that is, one in which the proportion of French-speaking servicemen reached 28 per cent. About forty posts occupied by servicemen required a knowledge of both official languages. Not all of these posts were held by persons with the required level of linguistic competence, because of the general shortage of bilingual persons within the Canadian Forces.

The Department added that in carrying out their duties members of the personnel, especially craftsmen, regularly had to consult several kinds of technical publications such as manuals, ready-reckoners, parts catalogues, technical orders, etc., many of which came from the manufacturer, who was usually American or British. The workshop's library held more than 5,000 publications, of which only five were published in French. English alone was used to identify millions of pieces of equipment and materials from various sources. It seemed to the Department that one could not escape North American realities and that technicians, both civilian and military, still needed to have some knowledge of English. The departmental investigators had found that, with few exceptions, signs indicating the different sections of the workshop were bilingual; so were posters, standing orders and other orders and directives addressed to the personnel as a whole. All administrative services were offered to members of the personnel in the language of their choice.

The Department concluded from the investigation that 202 Workshop-Depot had been rigorously applying departmental policy regarding bilingual services, and that the incident reported by the

complainant was an isolated case, attributable to an acting planner accustomed to working in English only, a fact that had obliged the complainant to write planning directives in English. Subsequently, however, these directives were all written in French.

The Department said that proper functioning of the unit required bilingual persons as supervisors and in key administrative positions. The complete review of bilingual posts being carried out by the Canadian Forces should make it possible to assure an adequate distribution of such persons.

The Commissioner recommended that all necessary steps be taken to make signs bilingual at 202 Workshop-Depot and to speed up the translation of forms used by the unit. He also recommended that, in order to avoid misunderstandings, the workshop's union representatives be regularly and systematically informed of the implementation of the bilingualism programme of 202 Workshop-Depot.

Shortly afterwards, the complainant received a "bilingual" Service standing order, the French version of which was reduced to a laconic "Voir version anglaise". The complainant also called the Commissioner's attention to a recent notice of an internal competition for the post of Supervisor in the unit, for which the basic language requirement was only a knowledge of English.

The Commissioner told the Department that the French version of the standing order fell far short of meeting the requirements of the Official Languages Act and that he hoped it would promptly be replaced with a bilingual publication. As for the competition notice, the Commissioner requested a clarification of the language requirements of the post in view of the fact that 80 per cent of the civilian employees of 202 Workshop-Depot were French-speaking and the duties of the post included several having to do with personnel.

The Department informed the Commissioner that standing orders would in future be bilingual in conformity with the letter and spirit of the Official Languages Act and that the complaint had grown out of a regrettable oversight.

A few weeks later, the complainant pointed out to the Commissioner that the standing order had still not been published in French and that the competition had been cancelled because it did not conform to Public Service Commission directives.

The Department eventually informed the Commissioner that a French version of the standing order had been published and that the competition notice had been corrected to show knowledge of French as a basic requirement.

- A French-speaking member of the Canadian Armed Forces serving with a French-language Unit in Quebec said that, even though he was



bilingual, he would like to work in English only. He asked the Commissioner to explain to him what his linguistic rights were under the Official Languages Act.

The Department took some time to explain its policy on this important question of principle, admitting that it had not previously studied the matter and had no precedents on which to base a reply.

It began by pointing out that when a man enlists he agrees unconditionally to serve in the Canadian Armed Forces, either for a specified time or for an indefinite period, and may therefore be called upon to serve in various places, according to the needs of the moment. Thus, a bilingual person might be obliged to work in an area where the working language is not the official language in which he is more at ease.

The Department's policy, as expressed in its bilingualism and biculturalism programme, seeks to enable as many French-speaking people as possible to work in their first language. This goal is being gradually achieved through the creation of French-language units. The number of units of this type will increase appreciably in the next few years, making it possible for French-speakers who wish to pursue their career in their first language to do so.

The plan is for bilingual servicemen to alternate between French-language and English-language units, a career pattern especially suited to those wishing to increase their knowledge of the other official language. For example, a French-speaking serviceman who has shown that he has an adequate knowledge of English can choose at the beginning of his military training to take his trade courses in English. Such a decision would obviously increase his chances of being posted to an English-language Unit.

The French-language units are the cornerstone of the programme to provide equal opportunities for advancement and their viability could be jeopardized if there were to be an exodus of bilingual French-speakers to English-language units. The Department cannot therefore allow a bilingual French-speaker complete freedom to choose to work in English.

The Department believed that in the present case it was necessary to ask the question: Was the man bilingual when he enlisted, or did he learn the second language through courses offered by the Department? If the first were the case, he could have indicated the working language he preferred and his wishes would have been respected as far as possible when he was posted. If the second were the case, the Department did not consider that he was within his rights to refuse to work in one of the official languages, because language proficiency acquired through the Department's courses must be considered in the same light as any other kind of proficiency obtained through its training courses.

Should a French-speaking bilingual serviceman categorically refuse to work in French he may, if he has passed the usual language examinations, choose to have English recognized as his first language. In that case, he would be considered as unilingual English-speaking. This would not be to his advantage, because bilingualism is taken into consideration in assessing merit and generally increases chances for advancement.

The Department recognized that the present number of bilingual servicemen in the Canadian Armed Forces did not give it the flexibility it would like. In order to fill all important positions with people who have the right professional qualifications, the Department must sometimes require a bilingual serviceman to work in one or other of the official languages. The Department expected, however, that increased recruitment of French-speaking personnel would soon enable it to meet the wishes of those who expressed a definite language preference.

The Commissioner explained to the complainant that the Official Languages Act was not a Bill of Rights. The basic purpose of the Act was to establish both English and French as the official languages of the Parliament and Government of Canada, and to establish that they both possess and enjoy equality of status and equal rights and privileges as to their use in all federal institutions. The Commissioner gave his opinion, based on a careful review of the case, that the Act did not establish the right of the complainant, as a member of the Canadian Armed Forces, to select his preferred language of work under all circumstances. Accordingly, the decision of the Department to assign him to or retain him in a French-language Unit was not in itself a contravention of the letter, spirit or intent of the Act. He reminded the complainant that, under the terms of his enlistment and the National Defence Act, the Canadian Armed Forces had the right to assign him duties in a unit where his linguistic competence in both official languages and his technical skills best served the interests of the Service.

Finally, the Commissioner transmitted to the complainant the information he had obtained from the Department on how he should proceed if he wished to have his linguistic status recorded differently.

- A French-speaking person complained that the Quality Assurance Division issued its directives, instructions, circulars and memoranda in English only, and that the Department's Headquarters, except for the Office of the Director General of Bilingualism and Biculturalism, corresponded with the division in English. He also stated that publication No. 193, *DND Manual of Quality Assurance* (four volumes), was available only in English, and added that no effort was being made to improve the language situation in his division.

The Department sent the Commissioner an outline of its bilingualism policy regarding publications. Documents distributed to the Forces

were to be produced in both official languages and printed in a bilingual format. Documents of a local nature intended for personnel of the National Capital Region and other areas where the demand is heavy were also to be bilingual. So far, the Department had been unable to meet this goal because often bilingual staff was totally absent, and because of translation, type-setting and printing problems.

However, despite these problems, the production of the bilingual publications had begun and the Department expected to accelerate this work shortly.

The Department further explained that internal communications were conducted in the language of work of the units concerned. However, senior officials should correspond in the language of work of the unit with which they were communicating. The Department's Headquarters is a so-called "National" Unit, that is to say, one in which French- and English-speaking persons are represented in the same proportion as on the national level. Departmental policy allowed national units to correspond in both official languages as necessary.

Since the Quality Assurance Division was part of Headquarters, the writer was free to use the language he chose. If internal correspondence was almost entirely unilingual English, this was because the great majority of the staff belonged to this language group.

The Department said it planned to translate all manuals used by the Canadian Forces and to publish them in a bilingual format, starting with the new manuals.

The Commissioner was of the opinion that the details of the bilingualism policy outlined in the Department's reply, a copy of which was forwarded to the complainant, were in conformity with the Official Languages Act. He informed the complainant that the Department had undertaken to correct the deficiencies pointed out as soon as possible.

#### *File No. 964—Teaching at Chilliwack*

A member of a professional association wrote to the Commissioner regarding the setting up of French classes at the elementary level at Chilliwack, B.C., based on the total-immersion experimental model established at St-Lambert, Quebec. He enclosed a copy of a study submitted to the local school board. Although close to six hundred parents from the region, including several servicemen from the Chilliwack Base, had declared themselves in favour of such a school, the school board had not agreed to set up French classes. French-speaking servicemen had therefore to send their children to English public schools. The complainant hoped that a kindergarten and Grade 1 would shortly be set up on the Base, and be open for moderate enrol-



ment fee to the children of French-speaking persons living outside the Base.

The Commissioner pointed out to the complainant that education fell within the exclusive jurisdiction of the provincial governments, and gave him a detailed explanation of the policy covering relations between the Department and these governments.

At the same time, the Commissioner brought the complaint to the attention of the Department, which replied that the children of servicemen attended public schools in the area under an agreement between the Department and the Government of British Columbia. Courses were given in English only. So far, the demand had not been considered sufficient to justify asking Chilliwack authorities to establish schools in which the language of instruction would be French. However, a team from the Department had gone to the Base to study the question more closely and the Commissioner was invited to send an observer to join it. The invitation was accepted.

Following this visit, the Department said that a study would be carried out to determine whether there was a sufficient number of possible French-speaking pupils to justify an official request to the Chilliwack school board for a French-language school.

The study showed that the parents of only six children, out of a total of about forty, wanted to enrol their children at a French-language school in September 1973. Nevertheless, the Department said it was willing to reconsider the question as soon as a sufficient number of parents had expressed a desire to have their children do their lessons in French.

The Department added that a committee had just been set up at Headquarters to study the complex problem of the education of children of servicemen and civilian employees. This committee was to examine in particular the schooling in French of dependants. One of the possibilities envisaged was the establishment of French-language classes on certain bases outside Quebec where the number of French-speakers justified such an initiative. In October 1973, the Department informed the Commissioner that the committee had been established on a permanent basis.

The report by the observer from the Commissioner's Office who had visited Chilliwack revealed that, except for a notice in the canteen, signs and markings on the Base were in English only. The Commissioner therefore recommended that the Department take this fact into account in implementing its stated policy on signs and markings.

The Department decided to set in motion a plan aimed at making all signs and markings on the Chilliwack Base bilingual by 1 December 1973.

The Commissioner informed the complainant that it seemed to him that the Department was conscious of its responsibilities in the field of education and was doing its utmost in this regard to abide by the Official Languages Act.

*File No. 1165—Medical Course*

The complainant claimed that on completing their medical studies in June 1972, a group of 29 officers were sent for three weeks to Canadian Forces Medical Services School at Borden to take the course Basic Medical Officers 7201. The course was given exclusively in English although 12 members of the group were French-speaking and unable to use English as a working language. Seven of the doctors, including five French-speakers, were later called upon to take another, one-week course, also given solely in English because of the dearth of French-speaking instructors on Canadian Forces Base Borden. The spokesman for the group added that repeated verbal requests to the responsible officers for courses in French or simultaneous translation had gone unheeded.

The Department informed the Commissioner that, since 1969, servicemen whose mother tongue was French had been able more and more frequently to get their training in French under the policy of the Canadian Forces, designed to ensure that courses were given in French to the largest possible number of recruits, taking into account the availability of competent instructors. The Department estimated that 85 per cent of French-speaking recruits were able to take basic training in their speciality in French. For the others, there was a programme of private lessons, but its effectiveness was being hampered by the scarcity of French-speaking instructors and the difficulty in getting translations of teaching materials, examinations, etc.

The Department added that school authorities were studying the implications of an extension of instruction in French at all levels of a speciality. This extension would necessarily be tied to the schedule for implementing the programme to increase bilingualism and biculturalism within the Department. Until it became possible to give the elementary course for military doctors in French, tutorial assistance in French would be provided to French-speaking doctors as far as possible.

After receiving further details from the complainant, the Commissioner informed the Department that, in his opinion, the Canadian Forces were assuming that most of the French-speaking doctors who were finishing their training had a passive knowledge of English, whereas the complainant claimed that many of them had only a very superficial knowledge of written English. He stressed that this factor was of particular importance because, according to the complainant, the recourse to tutorial assistance in French was not an adequate solution.

The Commissioner suggested that the possibility of offering the elementary course in French be studied further, since the number of French-speakers who had taken this course in the summer of 1972 constituted, in his opinion, a significant demand under the terms of the Official Languages Act. He recommended that the course be given in French in 1973 if the number of French-speaking candidates justified it, even if exceptional measures had to be taken in order to do so.

The Department, after further study, replied that it recognized the right of the individual to receive training in the language of his choice, but that in the present case it could not carry out the Commissioner's recommendation beginning in the summer of 1973 in view of the present lack of resources.

The Commissioner regretted that the Department would not be able to offer the training course in French in the summer of 1973 to 13 new French-speaking military doctors. However, he was pleased to note that they would benefit from a number of special measures that the Department had decided to take in order to reduce as much as possible the handicap which the young French-speaking military doctors would once more have to face. The Commissioner noted the constraints and priorities advanced by the Department but recommended that as soon as possible young French-speaking doctors be given initial training in their own language, in conformity with the Official Languages Act.

In October 1973, the Department reported that this matter was still under consideration.

#### *File No. 1351—Language Testing*

A French-speaker complained that public servants who wished to take a course at the Canadian Forces Foreign Language School had to take the Modern Languages Aptitude Test which was available only in English. Thus, from the very beginning all French-speakers without a good knowledge of English were eliminated. The complainant also claimed that few of the teachers had a knowledge of French and that consequently foreign languages were taught at the school from the standpoint of English only.

The Department admitted that the test existed in English only but said that neither French- nor English-speaking students were obliged to take it and that it was intended only for the internal use of the School. In no case did it serve as a basis for selection and the results were not placed in the individual's file.

The Department pointed out that, in keeping with the new method of language teaching of the Public Service Commission's Language Bureau, the foreign-languages teacher should not use both official languages



during classes. However, if the teacher knew French this would facilitate his relations with French-speaking students outside the classroom and at the start of classes. Finally, the Department stated that Canadian Forces Headquarters was aware of the absence of French-speaking staff at this school: the assignment to the school of a specialist in education with a mastery of the French language was already planned and would be implemented shortly.

The Commissioner reminded the Department that it had a duty to provide administrative and instructional services in both official languages to the "public" of the Canadian Forces Foreign Language School. It did not seem that this was being done.

The Department informed the Commissioner of steps taken to provide the required services. However, the courses offered at the Foreign Language School all came from the United States and were published in the language taught, with explanations in English.

The Commissioner pointed out to the Department that, in these circumstances, French-speaking trainees were not benefiting from the services of the School in the official language of their choice and did not have the same chances of succeeding as their English-speaking colleagues. As this situation contravened the letter and spirit of the Official Languages Act, he recommended that the Department make every effort to provide teaching which met the needs of French-speaking trainees.

In October 1973, the Department reported that this matter was still under study.

#### *File No. 1135—Ceremony at Ottawa*

A French-speaking complainant drew the Commissioner's attention to an article in the newspaper *Le Droit*, concerning the presenting of the colours by the Governor-General's Footguards on Parliament Hill on 1 July 1972. This ceremony was allegedly conducted entirely in English.

The investigation revealed that the regiment which took part in this ceremony was an English-language unit and the orders were consequently called in English. However, His Excellency the Governor-General, who is Honorary Colonel of the regiment, gave the speech in both French and English. The actual ceremony of presenting the colours is essentially a religious one and the text of the consecration of the colours was read in French by the Chaplain General of the Canadian Armed Forces. The text of this blessing appeared in both official languages in the programme for the occasion.

The Commissioner agreed with the Department that this ceremony did have some bilingual content. In his opinion, however, the programme

designed for the event did not conform with the spirit and letter of the Official Languages Act. He recommended that programmes printed for military ceremonies to be held in public appear either in a bilingual format or in separate French and English versions. In October 1973, the Department informed him that all such programmes were being printed in a bilingual format.

*File No. 1187—The Cadets of Saint-Eustache*

A complainant sent the Commissioner a copy of a letter published in a Montreal French-language daily concerning the annual inspection of air cadets in the Saint-Eustache area. According to the writer, the ceremony had taken place entirely in English although most of the participants were French-speaking.

The Department informed the Commissioner that each squadron commander was free to choose the official language to be used within his unit. In the present case, the commander had made his choice on the basis of advice from the instructors and cadets of the squadron. At the ceremony in question, he had begun and ended his address in French, while the representative of the Provincial Committee of the Air Cadet League had made his speech entirely in French.

The Department added that, to prevent similar criticisms in future, it had been decided that, beginning in September 1972, the squadron would adopt the French version of drill commands.

The Commissioner recommended that the Department take the necessary measures to ensure that the choice of the language of command within squadrons of the Air Cadet League of Canada is based on criteria common to all squadrons rather than on the decision of their commanders, and that this language policy be applied also to the Naval Cadet League of Canada and the Army Cadet League of Canada.

The Department accepted the Commissioner's recommendation and later sent him a copy of its "Bilingualism and Biculturalism Guidelines for Cadet Units and Summer Camps". The Guidelines, which were aimed at implementing within the Department "various government bilingual and bicultural policies and directives", covered administration and organization, recruiting, training, drill, visits and inspections, and publications.

*File Nos. 958, 1084, 1212, 1223, 1220, 1261, 1357, 1517, 1568, 1578, 1757, 1793—Visual Aspects*

- A complainant pointed out that at the Canadian Armed Forces Base at Uplands, Ottawa, there was a unilingual sign, "Expressmart", to identify the Base's grocery store. She added that the store's staff badges and bags also bore the same inscription in English only. She

also stated that the translation "Market-Express" would be unacceptable.

The Department said it had chosen this commercial sign because it thought it adequately described the store to both language groups. It did not believe that the word "Expressmart" contravened the Official Languages Act.

The Commissioner agreed with the Department and decided to close the investigation of the complaint since the offending word, which was neither French nor English, represented only a commercial sign. He informed the Department, however, that, in his opinion, the Canadian Armed Forces could not claim this word as being truly bilingual.

- A French-speaking person claimed that at a military exhibition at the St. Laurent Shopping Centre in Ottawa, directives, information and written publicity were all in English only.

The Department informed the Commissioner that the complaint was unfounded but that it thought a misunderstanding existed owing to negligence on the part of certain commercial interests at the exhibition. Some had failed to comply with its request that all advertisements be posted in the two official languages, side by side. To prevent such errors, the Department would make sure that publicity for future exhibitions in the National Capital and in bilingual districts be in bilingual format.

The Commissioner recommended to the Department that all publicity for exhibitions be bilingual.

The authorities involved took note of this recommendation and assured the Commissioner that they would take the necessary steps to conform to the spirit and letter of the Official Languages Act.

- Two French-speaking complainants from Ontario and New Brunswick said that the signs on the road to the Canadian Armed Forces Station at Falconbridge and at the bases in Chatham and Saint Margarets, were in English only. As an example, the first correspondent mentioned such signs as "No Trespassing", "Salesmen or Peddlers Not Allowed", and "Keep Right".

The Department explained that in January 1973 it had issued a directive stating that all signs and posters on Armed Forces bases must be bilingual. As a result, all relevant signs in the National Capital Region were immediately corrected. In view of the large number of unilingual signs in existence and considering the high cost of carrying out this directive, the Department decided to extend the time limit to December 1973. It informed the Commissioner that it had asked military authorities to encourage their bases and stations to use all possible



means to speed up the replacement of unilingual signs. The Department had recommended they start by correcting the signs in public view.

The Commissioner was advised that the programme was well under way and that the signs should all be bilingual by December 1973.

- A correspondent said that at a meeting of army cadets he had noticed that the uniforms worn by those affiliated to the Royal 22<sup>e</sup> Régiment, the Royal Montreal Regiment and the Fusiliers Mont-Royal, reflected English unilingualism or at least the priority given to the English language.

The Department told the Commissioner that the majority of cadet corps were affiliated to a unit of the Regular Forces or of the Reserves. Only three French-language cadet corps had no such affiliation. When there was this affiliation, as in the present case, the shoulder flash worn was usually that of the unit to which the corps was attached. The names of historic regiments, such as the Royal 22<sup>e</sup> Régiment and the Royal Montreal Regiment, were not translated. It was therefore possible that a French-language cadet corps attached to an English-language unit wore an English-only insignia.

The Department went on to explain that two other insignia were authorised: one bearing a maple leaf and the inscription RCAC (Royal Canadian Army Cadets), then available in English only but which would be distributed in French as soon as possible, the other with the words "Army Cadet", also in English only. The French-language corps wearing the latter usually made a practice of cutting the insignia in half, so that only the word "Cadet" appeared.

Finally, the Department said, all insignia to be worn on the new green military uniform would be available in French and English. In this way, the choice of insignia would be made according to the corps' affiliation and its language of work.

The Commissioner passed on these details to the correspondent and said that he thought the steps the Department had taken for future insignia would correct the situation.

- Two complainants pointed out there were several signboards in English alone in buildings belonging to the Department.

The Department admitted that the signboards were unilingual and said they had been immediately corrected and made bilingual. It added that all military establishments in Ottawa had been checked to make sure that unilingual English signboards had been changed.

- A French-speaking person told the Commissioner that parking stickers issued at the Department's Headquarters were in English only.

The Department said that these stickers had been modified for 1973 with the use of numbers or alphabetical codes, which are identical

in both official languages. If this new version proved unsatisfactory, and if another were needed for 1974, the Department assured the Commissioner that it would see to it that all details appeared in both official languages.

- A French-speaking complainant objected to a number of unilingual English signs in the parking area of the Department's Medical Centre on Alta Vista Drive, Ottawa.

The Department admitted that such signs were posted and set about replacing them with bilingual versions. The project was expected to be completed by the end of 1973.

- A French-speaking person complained about the unilingual English wording "Canadian Armed Forces" on the doors of military planes.

The Department explained that "Canadian Armed Forces" appeared on the left of its planes, where the door was located, while "Forces Armées Canadiennes" appeared on the right side. This gave the impression to those entering the planes that there were only English markings. The Department had adopted a new policy on this matter and in future the words "Armed Forces" and "Forces Armées" would appear in two lines on each side of the maple leaf badge at the front of the aircraft. The identical markings would be on both sides of the plane. In addition, "Canada" would be painted just above the middle line on the fuselage.

This programme was being carried out as fast as possible and by the end of 1973 it was hoped that 90 per cent of military planes would carry the new markings.

- A French-speaking correspondent said that during a stay at North Bay he had noticed several unilingual English signboards at barracks in Chippewa.

The Department agreed to erect bilingual signs.

- A member of a French-speaking cultural organization complained that a vehicle bearing licence number 15901 (Canada) carried a unilingual sign on its windshield.

The Department agreed to remove the offending sign.

#### *File No. 940—Documents in English—News Releases*

The editorial section of a French-language newspaper in Alberta said it had received news releases in English only from the information services of a military base in the Edmonton region.

The Department expressed its surprise over the matter as it had recently sent out a directive on the subject of French-language newspapers. It went on to say that the head office of its Information Service

distributed news releases in both French and English to conform to the Official Languages Act. On the other hand, the Department's regional offices published news of local interest in French or English or in both languages, depending on the region concerned.

The Department's policy was that it should be able, upon request, to give all information in both languages in Canada and abroad. It was trying to surpass the government objective of dealing with all important requests in a satisfactory manner. At the moment, however, the Department lacked both the competent bilingual staff and the translation services it needed to meet its goals. This was also the situation in the Edmonton Regional Office, which had already published about 50 news releases since the beginning of 1972. A suggestion that the Ottawa office translate all news releases was not accepted in view of the small proportion (less than 10 per cent) published in French.

The chief of the Edmonton Regional Office talked to the editor of in the Edmonton office which would be of interest to French-language the newspaper in question and it was agreed that news releases prepared readers would be discussed orally and then written direct in French by the newspaper itself or, if necessary, sent to Ottawa for translation.

In the meantime, investigation in Edmonton revealed the existence of translation services in the local office of the Department of the Secretary of State which would henceforth translate all news releases concerning the 1<sup>er</sup> Commando aéroporté, the only items of interest to the newspaper which had complained.

The Department admitted that this situation was not ideal since have either bilingual personnel or translation services which would oral reports would still be given in English, but it hoped to eventually ensure that all news releases were published in both official languages.

#### *File No. 1583—Canada Emergency Measures Organization*

A French-speaking public servant complained that he had received with his pay cheque an English copy of a pamphlet prepared by the Canada Emergency Measures Organization.

Investigation revealed that all such pamphlets were available in both French and English. They were supplied in bulk to departments and provincial governments, who were responsible for seeing that they were distributed correctly.

To avoid the possibility of such mistakes recurring, the Department told the Commissioner that it had asked the Canada Emergency Measures Organization to publish pamphlets and brochures intended for the public in bilingual format, in accordance with the Department's general policy of using a bilingual format wherever possible.



The Commissioner asked for a copy of the new pamphlet and was told that one would be sent to him. The Department said it would take about six months to use up current stocks and print the new pamphlet.

*File Nos. 1085, 1273, 1290—Telephones*

- A member of the Quebec Department of Social Affairs pointed out that he could not communicate in French on the telephone with a section of Headquarters which he was advised to contact for certain information.

The Department asked the Commissioner to offer its apologies to the complainant. It emphasized that if there were few bilingual personnel at Headquarters it was because the positions designated as bilingual by the Canadian Armed Forces were not all filled owing to a lack of sufficiently qualified candidates. In the Department's opinion, the complainant should have been advised to call a directorate where bilingual staff was usually available rather than a section where there was normally no contact with the public and where no position was classified as bilingual.

The Commissioner recommended that in order to prevent, as far as possible, a recurrence of the complaint, personnel should be reminded of the Department's policy or, if necessary, a directive should be issued explaining the procedures to be followed when a unilingual member of the staff received a call in the official language he did not know.

Following this recommendation, an overall study was undertaken by the Department in an attempt to find a permanent solution to the problem, since the solution of filling all sections and directorates immediately with bilingual personnel was not contemplated.

In July 1973, the Headquarters Telephone Information Centre went into operation on Colonel By Drive in Ottawa. It was staffed from half an hour before to half an hour after normal working hours each weekday by carefully selected bilingual personnel. The Centre issued visitors' passes and answered visitors' questions and telephone inquiries. Difficult questions were transferred on direct line telephones to bilingual officers and clerks.

- A complainant said that he was unable to find a listing in French of different numbers of the Canadian Armed Forces in the December 1971 edition of the Ottawa-Hull telephone directory.

The Department said that it had already taken the necessary steps to make sure that a French listing of such numbers appeared in the next edition of the directory. It had already issued a directive concerning military establishments in Europe as well as all those in Canada. All telephone numbers whose subscription was paid by public funds had to be indicated in both French and English as of December

1972. In addition, the Department distributed its directives to several enterprises under its control but not supported by public funds. Another directive was to be distributed stating that all the telephone numbers of enterprises such as exchanges, messes, canteens, etc., in the National Capital Region, in Quebec, in bilingual districts and in all places with French-language units, had to be listed in both official languages.

• A French-speaking person claimed that when he telephoned Canadian Forces Headquarters in Ottawa about a traffic ticket, someone answered in English only and told him a bit angrily that nobody in the office spoke French.

The Department pointed out to the Commissioner that the call was taken by a military policeman in charge of automobile traffic. The number dialled was not listed in the Ottawa-Hull telephone directory because the main function of the post was to regulate traffic, not to give information to the public.

According to the instructions in force, two policemen were on duty in this office, one of them bilingual. If a French-speaking person called and the other policeman was unable to converse with him, he offered to put him through to his bilingual colleague. At the time of the call in question, the officer on duty was temporarily alone in the office. It appeared that this officer, who was unilingual English-speaking, did not have the time to offer the services of a third party, because the complainant made some quick remarks and hung up. The Department said that it had found it difficult to determine whether there really had been improper behaviour on the officer's part.

The Commissioner informed the complainant that there had been no contravention of the Official Languages Act. He further pointed out that, in order to prevent misunderstandings, the Canadian Forces Headquarters had issued a directive setting forth the procedure to be followed when a military policeman or an officer of the guard-room was unable to reply in the official language of the caller.

#### *File No. 1300—Correspondence*

A French-speaking person, secretary-treasurer of an Alberta school district, complained that he had received a unilingual English letter concerning recruitment of teachers for the Department's schools in Europe.

The Department explained that its general policy was always to address school boards in their language. The letters sent out during the annual campaign to recruit teachers for its schools in Europe followed this rule. In cases where the boards represented French

and English schools, correspondence was in both official languages. In the case of a number of newly-created school boards throughout the country it was difficult to know which language to use. Some had stated their preference for one language or the other, or for both, and the Department had complied. The Department added that it would like to know in which language the school board concerned wished to receive correspondence.

At his request, the complainant's name and address were communicated to the Department along with the information that he wished to receive future correspondence in French.

## NATIONAL ENERGY BOARD

### *SUMMARY*

The National Energy Board views its bilingual capacity, for its predominantly English-speaking clientele, as adequate, but not sufficient. It expects to remedy this insufficiency by December 1978.

In response to the Commissioner's questionnaire, the Board replied that in 1969 it adopted the provisions of the Official Languages Act "in the discharge of its statutory responsibilities and in the conduct of its informal operations" and said that its objectives corresponded to those of the government.

NEB informed the Commissioner that because the Board's regulatory functions are primarily co-ordinated by its Secretary, a bilingual capability is provided within the Board's Secretariat. Oral information and telephone communications are reportedly handled in the language of the caller by designated personnel. Materials such as forms, publications, signs, notices and inscriptions on the Board's premises were stated to be bilingual.

As for equal use of English and French within the Board, the Board recognized that "additional efforts must be made to fully subscribe to Section 2" of the Act. However, it seemed to have taken some steps: internal written communications of interest to all staff, for example, are produced in a bilingual format. Work between employees and supervisors, according to the Board, is mainly done in English; but in certain sections such as the Secretariat and the Personnel Division, supervision is possible in both official languages.

Members of senior management, the Secretary and the Director General (Operations), are in charge of general administration of the Act. The Board is developing an inventory of the linguistic skills of its employees, and expects this will be helpful in developing bilingual staff.



## NATIONAL FILM BOARD

### COMPLAINT

#### *File No. 984—Publications*

The complainant criticized the NFB for not publishing its *Challenge for Change Newsletter* in French.

An investigation of the complaint revealed that the *Challenge for Change/Société Nouvelle* programmes were financed and administered by an interdepartmental committee made up of representatives from the NFB and seven other government agencies. The committee decided that these publications would better serve the interests of their readers if two different editions were prepared, one for English-speakers and one for French-speakers. For this reason, *Challenge for Change Newsletter* was published in English and *Multi-Media* in French.

A group of editors were asked to supervise the publication of the two editions. They decided that both editions would have more or less the same format and would contain articles on the English and French programmes. Provision was made for occasionally reprinting in the English edition an article appearing in the French one and vice versa.

The Commissioner informed the complainant that the NFB's decision about its publications *Challenge for Change Newsletter* and *Multi-Media* was in accordance with the principle that the two official languages have equal status.

## NATIONAL HARBOURS BOARD

### COMPLAINTS

#### *File No. 555—Notice for Tenders*

The Commissioner received from a French-speaking correspondent in Winnipeg a copy of a Notice to Contractors calling for tenders for the construction of various projects. The notice had appeared in a Winnipeg English-language daily. The complainant contended that a French notice should have appeared in the local French-language weekly (there is no French daily press in Winnipeg).

According to the Board, advertising in a French weekly could create more cause for complaining since people relying on the French

weekly might conceivably read a notice as many as six days after it had first appeared in the English daily press. The Board, however, was willing to abide by whatever procedure the Department of Public Works followed in such cases.

There had been discussions between the Commissioner and the Department of Public Works but the question of tenders had not yet been resolved. However, it was agreed, and the complainant was so informed, that the Special Studies Service of the Commissioner's Office would carry out a study of the Department that would include an examination of the tendering process in the light of the Official Languages Act.

#### *File No. 1614—Directory*

The complainant wanted to know when the French version of the *Port Directory* would appear.

The Board informed the Commissioner that the delay in the appearance of the French version was due to delays in translation.

The Commissioner recommended that the Board make every possible effort to have publications of public interest appear simultaneously in both official languages, even if that might cause delays.

### NATIONAL HEALTH AND WELFARE—"Bringing Up Baby"

#### *EVALUATION*

*Over the last three years, the Department quickly corrected the 31 complaints lodged against it. Many complaints arose from administrative errors. For instance, someone sent the wrong version of a letter or pamphlet, or a clerk sent back a bilingual form because he did not notice that it had been completed on the French side. French-speaking complainants also reported that telephoned requests for information were not always handled in French. Most complaints could probably have been avoided if the staff had better understood the implications of the Department's bilingualism policy in its daily work—a surprising weakness, since the Department is one of those which have taken the trouble to spell out their policy in a helpful and readable pamphlet for all employees.*

*The Commissioner made a special study of the Welfare side of the Department. Although the Department did not receive his recommendations until May 1973, its approach to them during the following six months appears encouraging.*

In December 1973, the Department provided general information about action taken on the recommendations appearing below and contained in the study report the Office sent it in May of that year.

On Recommendation 1, the Department decided to ensure implementation of the Official Languages Act by holding its assistant deputy ministers responsible for administering this Act within their respective branches. In response to Recommendation 2, the Department took steps to inform all staff about the new bilingualism policy; it distributed the two relevant Treasury Board circulars to all staff. In addition, during a cross-country tour, a team of the Department, it reports, stressed the importance of the official languages programme to all employees and explained the language requirements of positions.

The Department stated in November 1973 that Recommendations 3, 4, 6, 7 and 18, dealing with signs, forms, telephone listings and other printed material, were already substantially implemented, or would be by the end of 1973. As for Recommendations 5 and 8, it indicated that all its booklets and publications had been produced simultaneously in both official languages since 17 September 1973 and that the same principle was being generally applied to posters and other visual material. The Department reported that it has asked employees to ensure an equitable distribution of visual material in both languages when the Department or government supplies it. As for Recommendations 9, 10, 11, 12, 13 and 20, the Department sounded out its field offices to determine the demand for services in the minority official language, and it intended to apply the Treasury Board's guidelines. The Department, in December 1973, was implementing Recommendations 14, 15, 16 and 17 concerning information services, and had also acted on Recommendation 21.

Since this study is among the more recent ones conducted by his Office, the Commissioner will obtain, through future follow-up, additional and more precise information on the results of the various measures taken by the Department to implement his recommendations.

The Health side of the Department was one of the twenty federal departments which received the Commissioner's management questionnaire. From the general information the Office obtained, it is possible to have a bird's-eye view of the Department's official languages activities which began in 1970.

The Department's bilingualism policy document was developed in 1971 and has apparently been distributed to all employees. The ultimate responsibility for implementation of this policy, the Department said, rests with senior management. However, actual implementation receives the attention of many others, including the Bilingualism Adviser, the Language Training Service, the Bilingual Staffing Service, the Second Language Testing Service and the Forms and Manuals Control Service.



Information directed to the public, the Department said, is available in both official languages. With the assistance of a centrally located unit, the Department stated it is pursuing the task of assuring that forms, publications and other documentation are available in the two official languages to the public as well as to its employees. Items such as notices, posters and bulletin boards were reportedly in both official languages. The same principle, indicated the Department, applied to telephone listings, but there were some outstanding deficiencies which would be corrected by September 1974. The Department uses simultaneous translation at conferences to serve English- and French-speaking participants equally.

The two official languages, the Department admitted, do not yet enjoy equal status within its operations. But French-language units were apparently "functioning quite well", and the Department hoped to increase the number of these units in Ottawa and strike a better balance between the use of French and English.

The Department declared that all its manuals will be bilingual by 1975. It reportedly encourages employees to originate work in French and discourages translation of replies to letters. It maintained that in meetings, more and more employees express themselves in French. Where the supervisor is bilingual employees work in the language of their choice, but the Department does not claim this arrangement to be widely prevalent.

### *SPECIAL STUDY—WELFARE COMPONENT*

The study was conducted in order to determine to what extent the requirements of the Official Languages Act had been met with respect to the provision of services to the public. Since the Welfare Component's responsibilities are many, those related to pensions, allowances, grants, sports, recreation, social and information services in particular, were selected for study.

The team found that by the end of 1971 the Department had widely distributed its policy statement on bilingualism with accompanying implementation dates and had, in certain areas, undertaken useful reforms. However, in several offices institutional bilingualism was not achieved and little progress had been made in the recruitment of bilingual personnel and in the field of language training.

Furthermore, departmental arrangements did not allow the office of the Bilingualism Adviser to play its role fully.

The general departmental policy required that elements of visual bilingualism such as signs, telephone listings, publications, forms,

calling cards and visual material used in reception areas be bilingual. At the time of the study, a good percentage of this material was already bilingual or was in the process of being made so.

All services studied at head office involved oral communication with the public. The researchers observed that sports services were not always all accessible in both official languages but that the recreation services had the necessary potential to comply at all times with the requirements of institutional bilingualism. The team found that in order to make services equally available in both official languages, the proportion of bilingual staff within the ranks of officers and support personnel of the Welfare Grants Division should be increased, as should the level of bilingualism in the Family Planning Division, where there was only one bilingual employee.

Some regional and local offices of the Income Security Branch, the Canada Pension Plan Branch, New Horizons, the Canada Assistance Plan Branch, the Information Services Directorate, Sport Canada and Recreation Canada were also studied. (The latter two now come under Health.)

In all Income Security offices except those in Newfoundland and Prince Edward Island there was at least one bilingual employee. However, bilingual field officers were attached only to the following offices: Winnipeg, Ottawa (region), Montreal and Quebec. Therefore, in most of the provinces, the services of the Income Security Branch provided by its travelling field officers were available in one language only. Services provided orally in the offices themselves or through correspondence were reported to be available in both languages in every province where there was at least one bilingual member. This was the case in most provinces.

The Canada Pension Plan Branch had two bilingual employees in Alberta, two in Nova Scotia, eight in New Brunswick and four in Manitoba, but none in British Columbia, Saskatchewan, Prince Edward Island, Newfoundland and several regions of Ontario. In the whole of Ontario, there appeared to be 30 bilingual employees out of a total of 172. Officials nonetheless assured the team that, in these areas, written services, at least, were available in the two official languages.

The New Horizons Branch was in a position to provide at least partial bilingual services in several provinces. In British Columbia, Alberta, Saskatchewan and Newfoundland there were no bilingual employees. In two instances the representatives did not anticipate engaging the services of bilingual assistants or calling upon the services of bilingual employees at head office to reach the two linguistic communities.

Sport Canada and Recreation Canada had no bilingual employees in their regional offices.

The Information Services Directorate had at its central office 22 officers, 13 of whom were bilingual. Five regional offices were in the process of being set up. At the time of the study, two officers were on duty; one was unilingual and the other had completed the third cycle of the Public Service Commission's French course. Plans indicated that the only regional office to have a bilingual capability would be the one in Montreal.

For paid advertising, the Information Services utilized media such as radio, television and daily newspapers. The press presented a special difficulty as there were only three provinces with French-language dailies; for this reason, it was obviously impossible for an agency to reach all French-speakers in the country. In some instances, weeklies were the only available organs but they were not used. Films were used in several of the branches but not all were in French- and English-language versions.

Language training caused a particular problem owing to an apparent lack of communication between head office and the field on the various aspects of language training. At headquarters, 45 employees were enrolled in language training; at the field offices visited, only about 25 employees across the country took language training in 1971-72. Few field offices resorted to language testing and, in one of the branches, full reimbursement for language courses was not offered in keeping with the generally accepted departmental practice.

The Welfare Component made a real effort to achieve institutional bilingualism in various branches, particularly in the domain of visual material. However, in other areas such as information services, personnel and language training, the component did not fully comply with the spirit and intent of the Official Languages Act. In view of these deficiencies the Commissioner recommended that:

#### *General Policy*

(1) a senior civil servant be appointed as the official responsible for the implementation of the requirements of the Official Languages Act whose duties would be

(a) to preside over the establishment of objectives and the planning and implementation of the consequent programmes; and

(b) to supervise and monitor all activity related to the different aspects of bilingualism in relation to the Act;

#### *Staff Information Programme*

(2) (a) an extensive staff information programme based on the requirements of the Act and complementing the Department's policy statement be immediately set up; and

(b) all civil servants both at Headquarters and in regional offices be fully informed and that all new recruits (permanent staff, contractual officers,



temporary staff, etc.) be made aware of the established policy and know what action is necessary to comply therewith;

### *Signs*

(3) it actively pursue its programme of rendering signs and directories bilingual so that the work be completed by 30 September 1973;

### *Telephone Listings*

(4) (a) it ensure that all its offices place bilingual listings in the telephone directories and that the Department contact the Telecommunications Agency of the Department of Communications to obtain its assistance in negotiating bilingual listings with telephone companies in the various jurisdictions where difficulties have been encountered in the past;

(b) until this recommendation can be put into effect, the telephone numbers of all programmes and services of the Department be published every three months in the appropriate French-language weeklies;

### *Publications*

(5) all remaining unilingual publications emanating from the Department and intended for public use be rendered bilingual by 30 September 1973;

### *Forms*

(6) all remaining unilingual forms which are intended for public use, be they published at headquarters or locally, be rendered bilingual by 31 December 1973;

### *Stamps*

(7) all rubber stamps and imprints made by postage meters be rendered bilingual by 30 September 1973;

### *Printed Material in Reception Areas*

(8) all reception areas of every office have available in both official languages, all booklets, publications, posters or other visual material, emanating from their own department or any other federal government department and that an equitable distribution of non-federal government French-language and English-language magazines, booklets or other visual material be made available to their public;

### *Services Provided Orally*

(9) (a) a review of the composition of the staff of each service, programme, office, and so on, be undertaken immediately so as to determine the ability of the latter to meet the requirements of the Official Languages Act with respect to services;

(b) between now and 30 September 1973, a statistical report be prepared indicating the number of permanent and contract employees, casual and term staff (six months and longer), and including information on the degree of bilingualism of the staff in each of the services, programmes, offices, and so on; that these statistics and information be kept up to date;

(10) it avail itself of every opportunity, without endangering the job security of the present staff, to recruit bilinguals or unilinguals using the language of the community not fully benefiting from services, to transfer staff members and to enable a certain number of them to acquire a knowledge of the second language, where the linguistic composition of the staff prevents the provision of services in both official languages;

(11) henceforth, in the offices which have to provide bilingual services, such services be at all times automatically provided in one or other of the official languages without undue delay for any member of either of the two linguistic groups and without the client having to insist on using his own language before being attended to by an employee who speaks his language;

(12) the public in all regions and districts in which the Welfare component has a bilingual staff be informed that it is possible for them to have their inquiries dealt with in either of the two official languages;

### *Telephone and Reception Services*

(13) (a) all its divisions, branches, programmes and services at headquarters, in field offices serving whole provinces and in field offices serving an official language minority, identify their respective offices in both official languages; and that anyone requesting service in either one of the official languages by telephone or in person but who cannot obtain it through the receptionist on duty, have his or her request immediately transferred in his or her language to an employee capable of answering in the language of his or her choice;

(b) in the offices mentioned in 13(a) where there are no bilingual telephone receptionists, the officers in charge see to it that these employees have access to the special language courses (made available through the office of the Adviser, Bilingualism Development), designed to train secretaries and receptionists to receive calls in the two official languages;

### *Information Services*

(14) steps be taken to ensure that contacts with the French and English press, advertising and promotion, and the supplying of general and particular information (telephone requests, for example) always be assured equally in both official languages;

(15) (a) in choosing advertising and communications media, care be taken to henceforth ensure that they can in fact serve both language groups; and

(b) henceforth, weekly newspapers be used as substitutes in provinces and regions in which there is no daily newspaper in the language of one of the language groups;

(16) concrete steps such as hiring, language training, transfers, telephone communication service with headquarters, be taken immediately in regional offices, without endangering anyone's job security, so that the various publics can benefit from the information services in their own language, in accordance with the Official Languages Act;

(17) steps be taken to ensure that the information services in the Halifax office have, as soon as they are set up, a staff capable of providing information and communicating in both languages;

### *Exhibitions and Films*

(18) (a) whenever the Department, a Branch or a Division is identified on signs and material used at exhibitions and fairs, it be so identified in both official languages and that all material displayed for the use of the public be bilingual;

(b) henceforth at all fairs and exhibitions, whenever the Department, a Branch or a Division takes part, there be an appropriate number of bilinguals or unilinguals from both language groups on duty to serve the public in the two official languages;

(19) henceforth there be equitable showings of both English and French films whenever it takes the initiative to show films during exhibitions or others public events;

### *Language Training*

(20) it re-examine its policy of only reimbursing 50 per cent of language training as it pertains to headquarters and especially to the field offices by

(a) engaging in direct communication with the field offices with respect to language training programmes and keeping these offices continuously informed of all programmes and any new developments;

(b) informing the field offices of all schools and approved institutions where language training is available and, in collaboration with these offices, make every effort to have staff members enlist in these courses;

(21) it re-examine its policy of only reimbursing 50 per cent of language costs for Canada Pension Plan employees and consider offering the full reimbursement as it does for the other branches;

(22) it report to the Commissioner of Official Languages by 31 December 1973 on its efforts and improvements in the field of language training.

### *SPECIAL STUDY—CANADA PENSION PLAN OFFICE, MONCTON*

The principal aim of the study was to determine to what extent the Canada Pension Plan Office in Moncton complied with the Official Languages Act, as far as language of service was concerned.

The findings of the study revealed that the Office had shown laudable initiative in providing bilingual services to the public, and indicated the staff's genuine interest in complying with both the letter and the spirit of the Act.

All four staff members, the study team noted, were competent to handle, in both official languages, the wide range of contacts they had with the public.

All signs, forms and publications were, without exception, in the two official languages. Advertising and publicity activities were carried out about equally through French and English communications media.



Approximately 20 per cent of the correspondence received was in French and, of course, was answered in this language. The sole shortcoming observed by the team, and a very minor one at that, was the lack of bilingual calling cards. This led to the formulation of the single recommendation:

that all calling cards authorized for staff in Moncton be presented in both languages, either on one side or on both.

## COMPLAINTS

### *File Nos. 631, 1319, 971, 1325—Various Forms*

- Two French-speaking persons from the West complained that the Department was not serving the public in the official language of its choice. The complaints referred to forms connected with the old-age security pension and with family allowances. In the first case, the name and address had been written on the English side of the form; in the second, the forms had been returned because they were signed on the French side.

The Department informed the Commissioner that the forms were printed on both sides, in French and in English. The Department of Supply and Services addressed them with an addressograph machine and mailed them out.

When the Department was planning how to send out the forms, the problem of which side to use for the address came up. It was decided that the French side would be used for forms sent to Quebec, and the English side for those sent to all other regions in Canada; the addressee would, of course, be free to fill out his form in the official language of his choice.

As a result of these complaints, the Department considered the possibility of devising a new classification system for addressograph plates so that the addressee's official language could be taken into account. It planned, however, to replace its addressograph machines with computers by 1974-75. The new system would include a code which would enable the computer to identify language preferences after initial contact with the addressee.

The Commissioner asked the Department to study the possibility of checking sorted forms a second time before sending them back to be completed.

- A French-speaking public servant in Ottawa drew the Commissioner's attention to a grammatical error in the French text of the bilingual form CPP2502 (10-71), "Authorization to Disclose

Medical or Vocational Information", used by the Canada Pension Plan Branch of the Department.

The Department agreed with the complainant and took action to have the error corrected in the next printing of the form.

- A French-speaking complainant alleged that the text of mailing form 7690-21-029-1566 used by the Department's New Horizons Programme was in English only. He also pointed out two spelling mistakes in a label addressed to him in French.

The Department stated that extra care was being taken by those implementing the recent New Horizons Programme to avoid recurrence of misspelt words, and that a new bilingual mailing form was now available for departmental use. The complainant was informed accordingly.

#### *File No. 706—Press Releases*

The editorial staff of a French-language weekly newspaper in the West complained that the Department was sending it press releases in English.

The Department told the Commissioner that this could only have been an inadvertent error since its mailing lists were drawn up by category of addressee and language. The error was repeated and the Commissioner once again notified the Department, which made an investigation and took immediate steps to correct the situation.

#### *File Nos. 1049, 1213, 1318—Correspondence*

- The Commissioner received, through the Department of the Secretary of State, copies of correspondence between the Food and Drug Directorate and a French-speaking person from Quebec. This person had complained that the Department had answered in English a letter he had written to it in French.

The Department acknowledged its error with regard to the letter but pointed out that the report it had sent to the complainant was written in French.

The Commissioner took note of the Department's version, but nevertheless suggested that the Department impress on all those who communicate with the public that they must make sure that correspondence is always in the language of the client.

- A French-speaking person criticized the Quebec Regional Office for writing on the English side of a form letter which it had sent to his wife regarding her family allowance.

The Department accounted for its error by explaining that although the complainant's wife had filled out the application in French, she had done so on the English side of the form. The Department nevertheless apologized to the complainant's wife.

- A French-speaking person from Montreal received from the Department an envelope on which the address EDUCATIONAL SERVICE DIVISION, HEALTH PROTECTION BRANCH, TUNNEY'S PASTURE and also PRINTED MATTER appeared in English only.

The Department told the Commissioner it regretted this incident, especially as it makes a practice of using bilingual rubber stamps. It also informed the Commissioner that it had given precise instructions to those in charge of the service concerned, so that such a mistake should not happen again.

#### *File No. 1032—Family Allowance Cheques*

A French-speaking person from Sudbury asked the Commissioner why the Canadian Government did not pattern its bilingualism policy on the Belgian and South African models. He also indicated that his mother would like to have her name and address appear in French on her family allowance cheque.

The Commissioner informed the complainant that the policies of several bilingual countries, including Belgium and South Africa, had been studied carefully by the Royal Commission on Bilingualism and Biculturalism. The Commission concluded that the Canadian context did not lend itself to the adoption of the Belgian or South African models. It had therefore decided to recommend that the Canadian Government adopt measures which would lead to institutional bilingualism and provide the public with services in both official languages without, however, requiring that all public servants be bilingual.

As far as the name and address on the family allowance cheques were concerned, the Department made the necessary changes, as requested by the Commissioner.

#### *File Nos. 1562, 1590—National Conference on Fitness and Health*

Two French-speaking persons brought to the attention of the Commissioner newspaper articles that appeared in the 7 December 1972 issues of *La Presse* and *Le Droit* which said that there were no official documents available in French at the National Conference on Fitness and Health.



The Department informed the Commissioner as follows:

- 1) All official documents dealing with the conference, whether sent in advance or given to delegates at the time of their registration, were available in both official languages.
- 2) All letters sent to delegates and all notices, press releases and invitations were written in both English and French.
- 3) The Department of the Secretary of State provided simultaneous translation services at all plenary sessions and at all three workshops.
- 4) The original plan was for the summing-up to be made verbally only, but then a rough draft was distributed. It was this document, which was only available in English, that was given to the press.
- 5) The chairman of the conference made it clear, however, that the official report which would be sent to all delegates later would be bilingual. Moreover, he assured the Department that all proceedings of the second Montmorency Conference on Leisure would be published simultaneously in both official languages.

After studying this information, the Commissioner recommended that the Department make sure that all documents provided to the public during these conferences are available in both official languages.

#### *File No. 1506—Yukon Territory*

A French-speaking resident of the Yukon complained to the Commissioner that his Yukon health insurance membership card was printed in English only.

The Department informed the Commissioner that the document in question was issued by the territorial government, which administers the health insurance plan. The Department is responsible only for sharing the costs in accordance with the Medical Care Act, and therefore could not intervene in the administration of the programme.

Acting on a suggestion by the Department of Indian Affairs and Northern Development, the Commissioner brought the complaint to the attention of the Commissioner of the Yukon Territory so that he could deal with it. The results of the investigation will appear in the next annual report.

#### *File No. 1620—Gravelbourg*

The municipal authorities of Gravelbourg informed the Commissioner of their desire to obtain services from the Department in both official languages.

Officers from the Department studied the matter on the spot with the mayor and the secretary of Gravelbourg. They then informed the

Commissioner that the Department had no plans to open an office in Gravelbourg, even on a part-time basis. In case of emergency, however, local residents could obtain information by telephone at government expense. The Department was prepared to send one of its officers to Gravelbourg if problems became too numerous.

The Department also offered to hold a meeting in French, or to organize a local radio programme explaining the Old Age Security and Canada Pension Plans.

The Department's proposed solution appeared to satisfy the residents of Gravelbourg.

## NATIONAL LIBRARY—"The Paper Chase"

### EVALUATION

*Action taken by the National Library to implement the Commissioner's special study recommendations has been, in general, briskly co-operative.*

*The Library has acted on the six recommendations the Commissioner made in April 1973. Thus the institution has moved quickly towards becoming fully equipped to meet the Act's requirements as far as language of service is concerned. Minor contraventions of the Act were corrected satisfactorily.*

The Library reported in October 1973 that the recommendation which called for the issue to its staff of precise directives concerning its obligations under the Official Languages Act had been implemented. Specific sections in the directives require immediate implementation of three recommendations dealing with provision to the public of various services (telephone services, publications and information material such as cards, signs, badges, etc.) in such a way that the equality of status of the two official languages is respected. Interim administrative measures have been taken to give effect to the recommendation which calls for sufficient personnel to provide services in both official languages to be assigned by 31 March 1975 to those units which are in contact with the public. The Library foresees full implementation of this recommendation when such positions have been identified and designated as bilingual. Finally, regarding the Commissioner's recommendation about the availability of services in both languages in the cafeteria, the Library has made representations to the Department of Public Works which is responsible for such service. The Commissioner will be monitoring the results of these steps.

Only four complaints against this institution were registered during the period of 1 April 1970 to 31 March 1973 and they concerned various types of printed material. One of these complaints was settled promptly. In the other cases, the Commissioner made three recommendations, to which the Library responded only after some time had passed. Nevertheless, in all three cases, it found satisfactory solutions.

### *SPECIAL STUDY*

The object of this study was to determine the extent to which the National Library was fulfilling the requirements of the Official Languages Act in its dealings with the public.

The study revealed that the National Library had on the whole made a very great effort to respect the Act. In fact, the study group found only a few weak points, which could be easily corrected.

Corrective measures were especially called for in questions related to the staffing of the Library. At the time of the study, some of the offices dealing with the public were not in a position to provide all services in both languages. Of the 263 employees who had contact with the public, 166 were unilingual and 97 bilingual. Forty employees, 15 of whom had no contact with the public, were taking second-language courses; of the 166 unilingual people who did have contact with the public, only 25 were taking language courses. The team noted that service by telephone was, in general, excellent: the main switch-board operator identified the Library in both languages, as did some 25 employees in control stations. A temporary lack of bilingual personnel, however, could occasionally cause problems. This was the case, apparently, in the Cataloguing Branch, where only the control station employee was bilingual and service over the telephone was consequently unilingual whenever she was absent.

The service in the restaurant did not seem to satisfy the requirements of the Act. This resulted in part from the fact that a private group was operating the restaurant, under an agreement with the Public Works Department. Nevertheless, since the restaurant was located in the Library building and offered its services to Library users, the Commissioner asked the Library management to arrange with the interested parties to have the restaurant serve its patrons in both official languages.

Finally, a few deficiencies revealed the need for detailed directives: not all documents were published in both languages, or at least not simultaneously, while others, though bilingual, did not respect the equal status of the two languages.



In the light of these findings, the Commissioner, while pointing out the positive nature of the measures taken by the Library to implement the Act, made the following recommendations:

(1) that the National Library, as indicated in the document dated 7 December 1971 entitled "Policy and General Guidelines on Bilingualism and Biculturalism," issue as soon as possible precise directives concerning its obligations under the Official Languages Act;

(2) that, without endangering the job security of the staff, the National Library take, immediately, the necessary steps to ensure that, by 31 March 1975, there be sufficient personnel in those units which are in contact with the public, to provide services in both official languages;

(3) that the National Library take the necessary steps to ensure, at all times, a telephone service in both official languages;

(4) that henceforth, all publications, including technical reports, emanating from the National Library and intended for the public, be available in both official languages simultaneously and preferably under the same cover; and that, in all publications printed in separate versions, a statement appear in the other official language to the effect that the same text is also available in that language;

(5) that the National Library continue its practice of issuing all items such as cards, labels, badges, etc. likely to be seen by the public, simultaneously in both official languages, that all such items which may still be unilingual be rendered bilingual by 31 December 1973 and, further, that the equality of status of the two official languages be respected on all such items;

(6) that the National Library make, immediately, the necessary representations to the Department of Public Works so that, without endangering the job security of the staff, all the services of the cafeteria on the premises of the Library be provided to the public in both official languages.

## COMPLAINT

### *File No. 1550—List of Libraries*

A member of a French-language organization received from the National Library a list of some 190 departmental libraries and their branches. Only seven were listed in French; the rest were in English.

The National Library told the Commissioner that the list was not an official list, but one intended for internal use. Apparently it had been sent to the complainant as a special favour. The great majority of libraries appeared in English because their directors were English-speaking, and English was the language used to correspond with them. The National Library went on to assure the Commissioner that the official list of Canadian libraries which it was planning to publish would be fully bilingual.

While the Commissioner appreciated that the list complained of was intended mainly for internal use, he recommended that all documents which are distributed to the public, officially or unofficially, be in the two official languages.

## NATIONAL MUSEUMS OF CANADA—"Bring 'Em Back Alive"

### EVALUATION

*The Corporation of the National Museums and the National Museum of Science and Technology, not always with the speed of Kohoutek, have taken action on the seven recommendations the Commissioner made after a special study in April 1971. The Corporation was cited in 17 complaints during the three years under review; eight complaints were justified. The National Museums corrected the infractions of the Act—in a few instances, however, with a little persuasion by the Commissioner, who tried to make the Science and Technology Director offers he could barely refuse. And, graciously, did not.*

The three recommendations which dealt with guides, lectures and library signs have been implemented as indicated in the Commissioner's second *Annual Report* (page 63). Of the remaining recommendations, one concerned the National Museums of Canada (with the exception of the National Gallery), another, the Corporation of the National Museums of Canada, and two, the National Museum of Science and Technology. Following Recommendation 5, "the National Museums of Canada are fully translating English scientific works for publication, which are researched in French Canada, rather than providing short résumés as in the past".

Recommendation 6, for the creation of a unit of translators for the exclusive use of the Museums, has not been implemented. However, the Corporation has found an alternative solution: the creation within the Translation Bureau, of a group of translators "who deal specifically with Museum documents". The National Museum of Science and Technology informed the Commissioner independently that Recommendation 1, for a systematic and thorough correction of its display signs, was implemented last fall, as was Recommendation 2, for the provision of bilingual public signs in the same museum.

In evaluating the action taken by the National Museums to settle complaints made against them, consideration will be given to the National Museum of Natural Sciences, the National Museum of Man, the National Museum of Science and Technology and the National Gallery of Canada. The first three were also the object of a special study.

The National Museums (with the exception of the National Gallery) were responsible for eight infractions of the Official Languages Act. The quality of French used by guides and in the descriptions and explanatory notes accompanying displays was criticized; complaints were also received about the unilingualism of an advertisement in the publication *What's on in Ottawa/Voici Ottawa* and of identification plaques, documents and correspondence. The lack of simultaneous interpretation service for meetings held in Toronto and Winnipeg was also criticized.

The quality of French spoken by guides at the Canadian War Museum and the National Museum of Science and Technology was examined as part of a special study. As for the errors in French found in the explanatory notes and captions, the Museum, on receipt of the complaint, undertook a revision and standardization programme for its signs and captions with the help of Translation Bureau of the Department of the Secretary of State.

Following the complaint about the unilingual advertisement in *What's on in Ottawa/Voici Ottawa*, the Commissioner recommended that the advertising by the National Museum of Science and Technology reflect the equality of status of the two official languages. At that time, the Museum was content to express its goodwill regarding observance of the Official Languages Act, but persisted in claiming that the publication in question was not bilingual; it therefore maintained its decision to publish its advertisements in English only. Two years later, however, in reply to an identical complaint, the Museum informed the Commissioner that it had cancelled the autumn advertisement and that when the time came for a spring advertisement, it would reconsider the question in the light of the Commissioner's recommendation. The Museum decided in the meantime to place a weekly advertisement in *Le Droit* in order to reach the French-speaking community.

As a result of the Commissioner's intervention, the National Museums of Canada took the necessary steps to replace the unilingual identification plaques and signs which had been the subject of complaints. The Consultative Committee on National Museum Policy assured the Commissioner that simultaneous interpretation would be arranged for the next meetings and that all documentation and correspondence addressed to members and observers would be in both official languages.

The National Gallery was the subject of six admissible complaints. These dealt with the guide service provided to English-speakers, a unilingual English explanatory leaflet and unilingual English signs. In all these cases, the National Gallery authorities took necessary steps to ensure that all services provided to the public comply with the requirements of the Act.



## COMPLAINTS

### *File Nos. 1438, 1775—National Museums*

- The complainant reported that the signs identifying the building occupied by the Design and Display Division of the National Museums of Canada in Ottawa were in English only.

The management of the National Museums told the Commissioner that the signs had been put up by the owner of the building and that they would be replaced with bilingual ones.

- The complainant reproached the Consultative Committee on National Museum Policy with not having offered services in the French language at two meetings held in Toronto in December 1972 and in Winnipeg in February 1973. All preliminary correspondence and press releases issued at the meetings were in English only, and, what was more, no simultaneous interpretation service was provided.

The Committee explained to the Commissioner that the two meetings had been organized at short notice. This did not, the Committee stated, leave enough time to prepare them as carefully as it would have liked. It stressed that the museums taking part in the planning and implementation of the programme included no French-language institutions, although some of the observers were French-speaking. The Committee added that the latter were aware that discussions would take place in English, since information sent out beforehand was in English. The Committee assured the Commissioner that simultaneous translation would be provided at future sessions and that all documentation would be made available to members and observers in both official languages.

### *File Nos. 1041, 1331, 1608—National Gallery of Canada*

- A French-speaking person pointed out to the Commissioner that some of the panels at the Plaskett exhibition held at the Beaverbrook Gallery in Fredericton were in English only.

The National Gallery informed the Commissioner that the exhibition had been set up by the University of British Columbia, as part of the National Gallery's travelling exhibition programme, and that someone had neglected to check the panels. The director of the Beaverbrook Gallery had since removed the panels because they were in English only and because they added nothing to an understanding of the exhibition. Moreover, the labels under each work were in both English and French.

The National Gallery told the Commissioner that it would make sure that such incidents did not occur again.

• An English-speaking correspondent complained that when he visited the National Gallery in Ottawa a guardette and a woman elevator operator both persisted in answering him in French, although he kept speaking to them in English. He also claimed that a unilingual French sign was used to advertise an exhibition of Quebec paintings.

The Gallery admitted that the guardette was not yet bilingual, although she was following language courses at night at her own expense. She had since been transferred to another position where she would not be in contact with the public, until her English was adequate.

The Gallery was unable to identify the elevator operator and the unilingual French sign.

• An English-speaking woman and her three daughters visited the National Gallery on a Sunday afternoon. The youngest daughter was carrying her skates. The elevator operator spoke to the girl in French, but as no one in the family understood French, they did not know what she was saying. Another passenger in the elevator informed them the operator had told the girl to check her skates. The mother replied that she would comply when she was asked in English. The elevator operator continued to speak in French and the complainant maintained her attitude. A second passenger then said: "We had to put up with this sort of thing in English for 100 years. Now it is your turn." The mother retorted that two wrongs did not make a right.

When she and her daughters reached the fourth floor, a guide once again told her to check the skates. This guide also spoke only in French and did not switch to English.

The same thing happened on another floor, but this time the guide repeated in English what she had said in French.

The complainant professed to be very irritated and declared that while she agreed to the idea of bilingualism, she would not put up with unilingual French-speaking employees in public places. She planned to return to the National Gallery soon to see if conditions had improved.

The National Gallery told the Commissioner that, although the mother tongue of most of the elevator operators and guardettes is French, all of them have a reasonable ability to communicate in both official languages. The elevator operator and the two guardettes concerned have a satisfactory knowledge of both official languages and they all had tried to communicate in English, but had been ignored. The ability to speak both languages and the need for a pleasant cooperative approach to the public are specified in the security staff contract. All guards are frequently reminded, on their pre-shift parade, of the importance of their contacts with visitors. While the service is not perfect, the staff make a sincere effort to do their jobs well.

The Commissioner reminded the National Gallery that while its approach seemed to meet the requirements of the Official Languages

Act, constant vigilance was needed to make sure that the language clauses of contracts were adhered to so that the public could be served in both official languages at all times.

*File Nos. 1177, 1216, 1507—National Museum of Man*

- The complainant criticized the National Museums for including a unilingual map in a bilingual pamphlet on the Canadian War Museum.

The Commissioner brought this to the attention of the National Museum of Man, which has jurisdiction over the War Museum, and was told that the oversight would be rectified when the pamphlet was reprinted.

- The complainant alleged that some of the explanatory cards at an exhibition of artefacts presented by the Museum of Man at the Ukrainian Festival in Dauphin (Manitoba) did not bear texts in the two official languages and Ukrainian.

The Museum told the Commissioner that the catalogue, texts and captions for the Ukrainian Travelling Exhibition had been prepared in both official languages. The co-ordinators of the Ukrainian Festival, however, apparently put up various signs in English and Ukrainian, many of which were in the area leading into the exhibition mentioned. When the weekend rush of visitors threatened disaster to several valuable pieces that were displayed without protective showcases, a handwritten "Do Not Touch" sign in Ukrainian and English had been prepared and put up in haste. The Museum apologized for the omission of the French language in these signs and affirmed that it was most conscious of its role, as a federal agency, in the implementation of the Official Languages Act.

The Museum went on to say that it was economically impractical for it to present exhibitions in three languages, as funds for its multi-cultural programme were limited and it wanted to reach as many parts of the country as possible. It explained that the cost of preparing catalogues in a third language and the extra time required to prepare displays were very considerable and that the use of several languages created problems of space and design.

The Commissioner informed the complainant of the results of his inquiry.

- A French-speaking complainant drew the Commissioner's attention to a few minor mistakes in French on some of the captions used during an exhibition of Eskimo and Indian art at the National Arts Centre in Ottawa.

The Museum of Man, which was responsible for this exhibition, immediately checked for errors and corrected them.



- A French-speaking complainant pointed out that pictures of aircraft on sale to visitors at the entrance to the National Aeronautical Collection in Ottawa bore the inscription in English only: "Reproduced for the National Museum of Science and Technology, Ottawa".

The Museum informed the Commissioner that the plates from which most of these coloured pictures were printed were owned by Shell and other companies and were very difficult to alter. It said that it would keep the complaint in mind and do what it could to make the inscription bilingual. In the meantime, it would continue to sell the pictures it had in stock.

The Commissioner said that he appreciated that there might be some difficulty in altering the plates. He did not know the extent of the Museum's stocks or the rate of turnover, but he was of the opinion that since the Official Languages Act had been in force for over three years, this request for service to French-speaking visitors should be given prompt attention. He therefore recommended that the plates should be altered immediately or new plates obtained with the inscription in French so that the Museum could provide visitors with service in both official languages without delay.

This recommendation was accepted and the Museum expected to receive delivery of pictures with bilingual legends soon after the end of the fiscal year.

- A French-speaking complainant reproached the Museum of Science and Technology with using captions which were either in English only or in French of inferior quality.

At the time the complaint was made, the Museum had already undertaken the revision of all panels and captions with the assistance of the Translation Bureau of the Department of the Secretary of State.

NATIONAL RESEARCH COUNCIL OF CANADA—"The Wizard of Oz"

## *EVALUATION*

*Since 1970, the Council has been the object of 11 complaints; only one required a recommendation from the Commissioner. Most of the complaints were justified and the Council took necessary steps to remedy these infractions.*

*The major complaints cited translation of special publications and other documents. Although the Commissioner recognizes the Council's evident willingness to bring about improvement in this area, he is obliged*

to comment that the translations were not always produced as rapidly as he would have desired.

The Council declared that the objectives of the bilingualism programme were "well on the way to being met". Aware of the precision of scientists, the Commissioner trusts the Council is right and hopes time will bear out its optimism.

In reply to the Commissioner's questionnaire, the National Research Council stated that responsibility for implementing the Official Languages Act in the N R C rests with the Adviser on Bilingualism, who reports to the Vice-President (Laboratories). It maintained periodical statistical reports on employees' bilingual capability and said these showed a steady increase. As for deadlines on completion of its bilingualism programme, the Council replied that "we do not view this as a finite program with a specific completion date, but rather as a continuing on-going process with the highest priority requirements receiving first attention".

The two official languages were said to have equal status "in proportion to known and identified needs", both public and internal. The Council did not, however, claim its institutional bilingual capability to be adequate.

Internal communications of a general nature were reportedly bilingual. The manual of Operating Policies and Procedures was expected to be translated by April 1974. The Council stated that its staff was encouraged to follow language courses and was fully or partly reimbursed for courses approved by it.

The Council observed that service to the public has for some time been provided in the language of the client. Signs, forms and other items of a general informative nature were, or were becoming, bilingual.

The Council said that it had not encountered serious difficulties in developing bilingual capability among staff. However, it suggested that, due to a "supply and demand" situation, it had experienced frustration in its attempts to recruit significant numbers of French-speaking scientists and engineers. The Commissioner believes, with evangelical naïveté, "Seek and ye shall find".

## COMPLAINTS

### *File No. 956—Publications*

The complainant objected to the Council's excessive slowness in translating documents into French. To illustrate the problem, he sent a leaflet entitled *Digeste de la Construction au Canada* (Cana-

dian Building Digest), which is published monthly. He deplored the fact that whereas this publication had reached its 143rd issue in English, the 100th issue in French had only just appeared. At the time of the complaint, this difference amounted to a delay of three and a half years.

The Council informed the Commissioner that several events had combined at the beginning of 1969 to reduce the technical translation resources then available to the Division of Building Research. Despite all efforts, translation of the *Digest* had been delayed. Finally, in 1971, in order to solve this growing problem while ensuring that the translations remained technically accurate, the Council had decided to engage the services of a Montreal firm on contract.

Acting on a recommendation by the Commissioner, the Council adopted a new order of priority so that the most recent issue of the *Digest* would be translated before the back issues. The Council realized that translation of previous issues would as a result be delayed but said it would continue its efforts to improve the situation; it had in particular taken steps to recruit extra qualified persons for this highly specialized work.

For his part, the Commissioner considered that a delay between the publication of the English and the French versions of the *Digest* constituted an infraction of the Act. He therefore recommended that the Council issue in both official languages simultaneously any document intended for the public and have a reasonable number of the original texts produced in French. The Council accepted this recommendation and promised to do its best to comply with the provisions of the Act.

#### *File No. 1311—Truck Markings*

A French-speaker complained that an NRC truck carried markings in English only.

The Council agreed that this complaint was justified, adding that some vehicles purchased before September 1968 carried only English markings. It then corrected the markings to comply with the Act.

#### *File Nos. 1563, 1564—Internal Communications*

Two French-speaking persons complained about a directive that accompanied a questionnaire distributed in order to determine the official language of employees. This directive carried the following note: "It will be assumed that anyone who does not return the form wishes to receive cheque stubs and correspondence in English..."



The complainant expressed the opinion that such action did not respect the equality of status, rights and privileges prescribed in the use of both official languages in federal institutions.

The Council told the Commissioner that it had not intended to infringe either the spirit or the letter of the Official Languages Act. It had merely wished to determine which official language each employee preferred so as to be able to serve him in his language.

The Commissioner was of the opinion that this directive obliged French-speaking persons to fill out a form in order to receive services which were provided automatically to English-speakers. He therefore suggested that the Council use other methods to determine the language preference of those not answering the questionnaire.

As a result of this recommendation, the Council decided to contact each employee individually.

## NATIONAL REVENUE—CUSTOMS AND EXCISE—"You Can't Take It With You"

### EVALUATION

*In general, the Department reacted most positively to recommendations made in the Commissioner's special studies reports of September 1972 and January 1973 and to complaints during the last three years. As for the reports, the Department has not always been able to meet target dates, but it has started action on most recommendations and made significant progress, particularly in its efforts to foster second-language learning and retention.*

The Department has dealt satisfactorily with all but two of the Commissioner's proposals to achieve implementation of the Official Languages Act. It has not introduced a new policy statement as set forth in Recommendation 1, preferring to reach management first through briefings and seminars, and it has not yet produced a plan for providing service in the two official languages. However, both policy statement and plan are being prepared and the Commissioner hopes they will soon appear.

With few minor exceptions, action has begun on signs, telephone listings, telephone service, etc. The Department's translation unit is giving high priority to correspondence for the public and the Department is trying to persuade non-federal sources to provide information material in both official languages. It has also issued directives to ensure that departmental advertising is placed in appropriate newspapers to meet the requirements of the Act.

The Department's attitude to language training and retention seems sensible. The Linguistic Services Division of the Official Languages Programme Branch has begun researching job-oriented language training and the Department is arranging voluntary transfers to help students retain the second language, though there does not yet appear to be a Department-wide plan.

At the Moncton office, where a separate study was made, service is now more consistently available in the two official languages. In October 1973, the Department reported that it had implemented all nine recommendations the Commissioner made in September 1972 concerning its Moncton office: all signs on Customs and Excise operations at Moncton are bilingual, it said, telephone calls are answered in the two official languages and employees can, when necessary, relay incoming calls in the other language to a colleague who can deal with them suitably.

The public may now obtain copies of the *Boating Safety Guide* as well as all forms intended for public use, in French and English. Counter service to the public is offered in both languages, and at Moncton Airport, where the study indicated there were not enough bilingual staff, one more bilingual position has been established and filled.

In most cases, complaints received adequate attention. As was perhaps only to be expected, customs service at border checkpoints and international airports gave rise to 40 complaints from the travelling public.

Customs officers, like tax-collectors, have never been able to rival Santa Claus in popularity. Some of the complaints were justified, however, and the special studies undertaken as a result of the complaints gave rise to 48 recommendations. Most of the complaints about service at border checkpoints and airports were settled satisfactorily. Moreover, the Department often incorporated corrective measures resulting from individual complaints into its country-wide bilingualism programme.

However, in the case of its Niagara Falls office about which a complaint had been lodged alleging lack of service in French, the Department expressed its unwillingness to provide a 24-hour bilingual service because it claimed there was insufficient demand for French to justify it. The Commissioner could not accept this answer. In response, the Department agreed to instruct all its personnel to determine which language a member of the public wished to use; the Commissioner, for his part, made several recommendations in his special studies' report to assist the Department in overcoming this problem. He will be monitoring the results of these recommendations.

## *SPECIAL STUDY—CUSTOMS AND EXCISE*

The study of the Customs and Excise sector of the Department of National Revenue was undertaken with a view to evaluating measures taken by the Department to comply with the Official Languages Act, particularly in regard to the provision of bilingual services to the travelling public. The original focus of the study was on headquarters as a central administrative body, but the study later had to be enlarged to include an investigation of regional offices across Canada.

The findings of the study touched on matters of policy, directives, departmental information programmes, the Department's publics and the notion of demand. The departmental policy statement on bilingualism, issued two years after the proclamation of the Official Languages Act, lacked clarity and precision. This statement, together with departmental directives, failed to define the Department's publics, the extent and breadth of bilingual services to which they are entitled, and the Department's understanding of what constitutes regular and sufficient demand.

In the course of its regional visits, the study team observed that the bilingualism objectives of the government and the department, as well as the requirements of the Official Languages Act, were not well understood. At a few regional offices, some indifference and hostility to bilingual reform was expressed. Little attempt had been made to provide information about bilingualism to the Department's staff. The team learned that the Customs Operations sector was in the process of appointing a programme co-ordinator for bilingualism, but the Department, as a whole, possessed neither the personnel nor the organization necessary for co-ordinating, evaluating and overseeing the application of departmental policies and programmes.

In its centrally administered activities, the Department was generally in compliance with the Official Languages Act. At the time of the study, all forms in use with the public were bilingual, although the Department did not know, because of their quantity and diversity, to what extent they were distributed and displayed equally in both languages. Eighty per cent of publications destined for the public were bilingual; the remainder were expected to be so by September 1972. The team noted that publications of other departments and of provincial governments were not always equally displayed in the two official languages.

Signs and inscriptions were unilingual at headquarters but would be bilingual when the Department had moved to its new premises. Signs in regional Excise offices were also unilingual but would be bilingual by February 1973. Depending on the region, between 40 and 100 per cent of the signs were bilingual in the Customs Operations sector.



With the exception of those in one region, all signs were to be entirely bilingual by March 1973. In addition, the Department had negotiated or was negotiating the installation of bilingual signs with bridge authorities, but it was not optimistic that the negotiations would be successful.

The team concentrated its study on the Customs Operations, Excise, and Tariff Programmes and Appraisal Branches, branches which had by far the most contact with the public. The Customs Operations Branch deals with three publics, commercial, resident and travelling. The team was satisfied that bilingual service was adequately provided to the Department's commercial public, but found that administrative procedures for doing so could be improved. The level of services to accommodate the general public in the commercial sector was very difficult to assess, and for this reason, complaints might occur. The team recognized that demand from the business community for French-language service outside the province of Quebec would be rare.

The main public served by Customs Operations is the international travelling public. The Branch made systematic attempts to plan for bilingual services in this operational sector until late 1971. Regional programme forecasts were invited at that time but they revealed serious weaknesses in the planning process. Headquarters failed to provide specific guidelines to the regions on where and to what extent bilingual service is required to serve the travelling public, particularly in certain areas of the country. Data relating to personnel requirements were also inadequate. As pointed out, a clear policy on demand and on the requirements of bilingual service was not enunciated. The Department did not distinguish between two separate aspects of the problem: acceptance or rejection of the principle of significant and regular demand either everywhere or at certain locations; and the determination, given acceptance of this principle, of the level or levels of bilingual service required. Actually, the Department did not seem to assume the existence of regular and significant demand for service in both official languages throughout the country; service in English was provided at all times and in all locations, but service in French if, and only to the extent that, it was specifically requested.

The Customs Operations Branch felt that the major problem to be faced, before its bilingualism objectives could be fully realized, lay in the area of personnel. However, it was hoped that recruiting would enable the Department to meet the requirements of the Act.

At the time of the study, the Branch had difficulty in ascertaining the distribution of its bilingual and unilingual staff, since personnel data were not available in terms of the most basic operational unit functioning across the country. The data available were nonetheless sufficiently reliable to indicate that the Customs Operations Branch was providing adequate bilingual service to the travelling public only in Quebec, at

certain ports in Central and Eastern Ontario, at the Port of Windsor, at the Toronto International Airport, and at ports in New Brunswick. The Branch was not certain that there would be at least one bilingual person per shift to serve the travelling public at any other location.

Casual employees constitute an important seasonal supplement to the permanent staff of every region. In 1971-72, the Branch hired almost 600 casual employees of whom, the Branch asserted, approximately one-third of those assigned to ports outside of Quebec were considered either bilingual or at least possessing a knowledge of the second official language. However, no region outside that of Quebec made linguistic skills a prerequisite for employment.

The Branch and its regions have been delegated extensive authority for recruitment. The team learned that competitions for bilingual personnel, particularly clerical and supervisory, are rarely held outside the immediate jurisdiction of the region, although regulations do permit this. Two regions had, nevertheless, held successful open competitions for bilingual candidates, especially for posts at major border crossings and international airports. The Branch relied rather extensively on the use of temporary "back-up" personnel where the requirement for bilingual service was particularly acute. Such a practice had two advantages: firstly, it facilitated the replacement of established employees absent on language training; secondly, since the Branch forecast an increased volume of work over the next few years, back-up positions could be absorbed naturally into the normal establishment. The Branch recognized the value of deploying personnel so as to ensure the most effective use of scarce bilingual resources, but its attempts to transfer bilingual employees either within or between regions was not successful.

Indeed, the Branch exerted little pressure on its personnel to transfer. However, it was accepted that personnel would be more likely to transfer if the Customs Operations Branch modified the conditions underlying the present lack of staff mobility, offered incentives and alleviated the hardships experienced by bilingual French-speakers living and working outside their cultural milieu.

An important element of the Branch's endeavours to meet its bilingual requirements would have been to make an increased and more effective use of language training. But according to the data and information provided, only headquarters and the Quebec and Central Ontario regions enrolled significant numbers of language trainees. The lack of regional schools and the high median age of the Branch's operational personnel were two obstacles to the programme. The Department had shown initiative in establishing a language retention programme on a limited inter-regional basis in the Quebec and Atlantic regions to allow employees from predominantly unilingual areas of the

country to have an opportunity to reinforce and perfect their knowledge of the second language. This programme had not, however, been applied across the country.

The Excise Branch, embracing both the Excise Tax and Excise Duty sectors, claimed that the provision of bilingual services to its clients and licensees posed few problems. The study team discovered, nonetheless, that the procedures used by the Branch for offering bilingual service did not strictly conform to the Official Languages Act; the Branch did not advise licensees that it provided all services in English and French nor did it invite its licensees to indicate the official language or languages in which they and their staff desired to receive service. All Excise Tax regions maintained some bilingual capability and bilingual personnel could be deployed relatively easily within certain regions for the purpose of providing services in both languages. The Excise Tax sector did not appear to have firm plans for expanding its bilingual capability even though it expected an increased demand for such service. While the recruiting of trained, bilingual personnel was not promising for this sector, the team felt that the Branch had not given sufficient attention to the possibility of meeting its bilingualism goals by recruiting and training bilingual personnel from outside the sector. Despite the fact that language-training programmes appeared to offer a means for achieving a general increase in the Excise Tax Branch's overall bilingual capability, participation in these programmes was quite minimal. Indeed, during the 1971-72 fiscal year, out of a total of approximately 1,100 personnel attached to the regions, only about a dozen were enrolled or nominated for language training. Two or three regions expressed the desirability of transferring employees to locations where they would have occasion to work and socialize in the second language.

The Excise Duty sector had very few bilingual staff except at Ottawa headquarters and in the Quebec region. Neither the Atlantic nor the Prairie regions possessed a single bilingual officer, and language-training programmes had been almost entirely ignored. Admittedly, outside the province of Quebec, demand for service in French was less frequently expressed, but the team felt that all regions should possess at least a minimal bilingual capability in order to meet a possible increased demand for service in both official languages.

The Tariff Programmes and Appraisal Branch is largely a headquarters operation, although four units perform customs activities in the field within Canada, and six overseas. Generally speaking, the team observed that while the headquarters operations of this Branch complied with the Official Languages Act, the Branch's practices and procedures relating to the preparation and translation of rulings and decisions on the application of customs law could be improved. Although the Department's bilingualism objectives in the headquarters operations and



overseas offices of this Branch were well advanced and complied with the Official Languages Act, in the Branch's field activities, only the Montreal unit maintained a bilingual capability. Recruitment of bilingual personnel in the other three units was not considered either a necessity or a priority for the purpose of providing service in the official languages if the occasion arose. The Branch's lack of support for language-training programmes was considered to be valid, but the fact remained that a minimal bilingual capability in all units was both desirable and necessary since all were serving English- and French-speaking populations and would thus have to assume that demand for French-language service existed in each area they served. The Branch was studying the possibility of recruiting bilingual personnel who could be trained to conduct the work of its field investigation units. The team considered that the best solution to the Branch's problems probably lay in recruiting rather than in language training.

The Commissioner made 48 recommendations to the Department as a possible contribution to the solution of its problems and difficulties in providing bilingual service and in complying with the Official Languages Act. The Commissioner recommended that:

#### *Policy Statements*

(1) the Department reissue its statements on bilingual policy and goals to reflect more accurately the spirit and intent of the Official Languages Act;

(2) the Department use the recommendations made throughout this report as a basis for formulating a plan for the provision of service, in both official languages, to the publics it serves;

(3) the Department, in recognizing its extensive and special relationships with the public, accept the existence of regular demand for service in both official languages

(a) to the travelling public across the country, and

(b) to local publics comprising the two official language groups;

(The Department should, therefore, accept the provision of such service as a permanent objective. All existing and future measures to provide bilingual service to those publics should be regarded and assessed as steps to that end.)

#### *Bilingualism Information Programme*

(4) the Department develop and actively undertake an extensive and imaginative information programme to familiarize departmental managers and their staffs with the purposes and intent of the Official Languages Act, and departmental and government policies on bilingualism;

(5) the Department create the post of Bilingual Programme Co-ordinator to oversee the implementation of the Department's bilingual policies and programmes;

(6) this Officer be charged with implementing the recommendations in this report, including Recommendation 4;

(7) the departmental Adviser on Bilingualism report to the Bilingual Programme Co-ordinator so as to ensure proper co-ordination of their respective responsibilities and programmes;

#### *Centrally Administered Activities*

(8) a notice be issued to all field offices, reminding them that whenever a form is displayed, both official language versions of the text must be in evidence;

(9) the Department attempt, in the case of non-federal government departments and agencies, to obtain their information material in both official languages, and insist, in the case of federal government departments and agencies, that their material where not now thus available be provided, henceforth, in both official languages;

(10) the Department separate and label in both official languages as non-federal government material all unilingual material from sources other than federal departments and agencies;

(11) the Department refrain from distributing at ports of entry to Canada unilingual material from federal departments or agencies, unless delay in waiting for translation would occasion hardship or injustice to any person or class of persons or be otherwise prejudicial to the public interest, as prescribed by Sections 4, 5(2) or 5(4) of the Official Languages Act. In such exceptional cases, translations should be sought and offered to the public as soon as possible;

(12) steps be taken to accelerate the conversion of unilingual signs required by the Excise Tax Operations not involving the Department of Public Works, so that all these signs be bilingual by 28 February 1973;

(13) the Excise Duty Division request licensees in those areas of the province of Quebec, and other locations across Canada where the licensee's work force includes both English-speakers and French-speakers, to install bilingual identification signs provided by the Department;

(14) steps be taken to accelerate the conversion of unilingual signs required by the Customs Operations Branch not involving the Department of Public Works, so that all these signs be bilingual by 28 February 1973;

(15) the Department continue negotiations with bridge authorities concerning bilingual signs and inform the Commissioner of Official Languages by 28 February 1973 of the scope and success of these negotiations;

(16) the Department immediately contact the Department of Public Works in order to accelerate the completion by 28 February 1973 of sign programmes related to the Excise Tax and Customs Operations across the regions and which involve the Department of Public Works;

(17) the Department contact the Telecommunications Agency of the Department of Communications to obtain its assistance in negotiating bilingual listings with telephone companies in the various jurisdictions where difficulties have been encountered in obtaining such listings;

(18) the Department adopt a policy of providing bilingual telephone answering and reception service in all offices serving both official language groups;

(19) the Department enlist the assistance of the Public Service Commission in providing a bilingual telephone reception training program for all receptionists requiring the same;

(20) calling cards be of uniform linguistic standard and quality and that they and all date, cancellation and other stamps be rendered bilingual where they are not already so;

(21) correspondence intended for a member of the public and requiring translation be afforded a high priority by the Department's translation unit in Ottawa;

#### *Customs Operations Branch*

(22) the Customs Operations Branch determine the number of customs brokers desiring to be served in English and in French and ensure that personnel be available to serve them in the language required wherever they conduct business with the department;

(23) signs be erected at all customs offices having a bilingual capacity to indicate that service is available in both English and French;

(24) the Customs Operations Branch accept as a priority the necessity to provide service in both English and French to the travelling public at international airports and at major frontier ports across Canada, as well as at vessel clearing stations, local airports and ports serving areas containing both official language groups;

(25) the Branch establish by 31 March 1973 a detailed national plan to provide bilingual service at locations covered by Recommendation 24, indicating the nature and extent of service necessary, staffing methods and target dates for the provision of service at various locations;

(26) the regions be asked to co-operate with headquarters by providing the data required to ensure that the Department's linguistic information retrieval system become operational as soon as possible;

(27) the Department, in conjunction with the appropriate division or divisions of the Public Service Commission, develop a language testing system based upon the occupational requirements of customs officers;

(28) the Department accord priority for language training to employees who have been assessed by managers as possessing a bilingual competence, but whose test results indicate they have failed to achieve the linguistic standard established for their occupational category and for those categories to which they can reasonably expect to be promoted;

(29) (a) the Customs Operations Branch establish linguistic requirements for casual public-contact positions in the regions, in accordance with the need to provide service in both official languages to the travelling public across Canada;

(b) each region, in accordance with the Customs Operations Branch's overall plan for providing service in both official languages to the travelling public, establish the requirement for bilingual casuals;



(c) competitions for bilingual casuals be held in all regions to satisfy the requirements determined pursuant to Recommendations 24 and 25;

(30) the practice of holding competitions for bilingual candidates become established in all Customs Operations regions in accordance with the region's needs to provide service in both official languages;

(31) the Department, when advertising positions in the newspapers, do so in weekly papers serving the minority official-language groups when there is no corresponding local daily newspaper serving speakers of the minority language;

(32) the Customs Operations Branch continue to staff, and wherever necessary increase, temporary back-up positions requiring bilingual incumbents until such time as sufficient established staff exist to provide the required level of service in both official languages;

(33) the Customs Operations Branch actively encourage newly recruited customs officers and highly motivated personnel of all eligible ages to make greater use of opportunities for language training;

(34) resources for highly functional language training be allocated to the regions in accordance with a national plan for the provision of service to the public in both official languages across Canada;

(35) the Customs Operations Branch establish a programme of temporary voluntary transfers to enable employees from all regions to live and work for a time in a region where the second language they have acquired is in daily use;

#### *Excise Branch*

(36) to ensure compliance with the Official Languages Act, the Excise Tax Operations and Excise Duty Divisions immediately devise and implement appropriate procedures for notifying licensees and applicants for licences, immediately and at appropriate intervals in the future, of the availability of services in both official languages, and inviting licensees to indicate the language or languages in which they and their employees desire to be served by the Excise Branch;

(37) the Excise Tax Operations Division give urgent attention to determining, on the basis of the implementation of Recommendation 36, the bilingual capability needed by each region to meet the requirements of its licensees for bilingual service;

(38) the Excise Tax Operations Division devise a plan, on a nation-wide basis, for determining and developing the required bilingual capability and that the plan include the use of such techniques as recruitment, deployment, transfers, language training and incentives as necessary to achieve the required level of bilingual service in the shortest possible time;

(39) the Excise Tax Operations Division adopt the principle that, as a matter of course, new recruits be offered highly functional language training and that officers in all categories also be given this opportunity;

(40) the Excise Tax Operations Division actively encourage these persons to enrol in language training programmes;

(41) the Excise Tax Operations Division evaluate and implement various methods and techniques suitable to its needs for enhancing and strengthening second-language learning;

(42) the Excise Tax Operations Division evaluate the prospects for establishing and maintaining an exchange or transfer programme between English- and French-speaking personnel for the purpose of promoting second-language retention;

(43) the Excise Duty Division determine, on the basis of the implementation of Recommendation 36, the bilingual capability needed by each region to meet the requirements of its licensees for bilingual service;

(44) in the event that the requirement for bilingual personnel exceeds the present availability of employees with a second-language competence, the same action be taken as appropriate by the Excise Duty Division as is outlined in Recommendations 39 to 42 relating to the Excise Tax Operations;

#### *Tariff Programmes and Appraisal Branch*

(45) the Tariff Programmes and Appraisal Branch determine in the Toronto, Winnipeg and Vancouver investigation units, and the Halifax unit when created, the number of bilingual personnel and the level of their second-language proficiency needed in public-contact positions to serve the public suitably in both official languages. The required bilingual staff should be acquired either through recruiting bilingual personnel, through establishing second-language training for unilingual public-contact employees, or through using a combination of both these techniques;

#### *Conclusion*

(46) implementation of the report's recommendations not jeopardize the job security and career opportunities of departmental personnel;

(47) in offering its services to the public, the Department make them available automatically in the minority official language rather than merely respond to requests or complaints;

(48) the Department, in implementing the recommendations of this report, maintain close liaison and consultation with the Customs and Excise Union and other employee associations.

#### *SPECIAL STUDY—CUSTOMS AND EXCISE, MONCTON*

The purpose of the study was to examine, with local management, the quality and availability of bilingual services offered to the public by the Department in Moncton and to make appropriate recommendations.

The Customs office deals with international travellers, commercial firms, customs brokers, representatives of carriers and fishermen. The

Excise office deals mainly with licensed and unlicensed wholesalers and retailers, manufacturers and small businessmen.

Signs at the Customs office were reported to be bilingual except for a locally drafted sign which was in English only. There were two Customs signs at the Moncton Airport, one of which was unilingual English. Signs at the Excise office were bilingual with the exception of one sign in English. The Customs office dealt with a total of 55 public-use forms of which 38 were available in English and French and the other 17 were stocked locally in English only, though available from the Department in French. All seven Excise forms used by the public were available from headquarters if not stocked in both languages.

Publications used by both Customs and Excise offices were available in both languages. Telephone listings were given in both languages, though offices were identified over the telephone in English only. Both offices were, however, able to handle calls in the two languages.

With respect to personnel, the Customs office employed 14 full-time public-contact staff of whom five, the office claimed, were bilingual. Of the seven public-contact employees attached to the Excise sector, five were bilingual. In the last three years, only one employee of the Customs office had enrolled in language training and no Excise employee had enrolled, though one was to have done so in the fall. The Customs office was, at the time of the study, attempting to devise a retention and transfer programme for second-language learning.

Both offices had made laudable efforts to provide bilingual services to the public but had not grasped the notion of providing them automatically. Generally the two offices were adhering to the provisions of the Official Languages Act with only a few minor exceptions. The Commissioner recommended that:

- (1) all internal and external signs at the Customs and Excise Tax Offices in Moncton, and at Customs' premises at the Moncton Airport, whether drafted locally or in Ottawa, be made fully bilingual by 15 November 1972;
- (2) henceforth, at the Customs and Excise Tax Offices in Moncton, the persons whose duties include answering incoming telephone calls from the public and any other persons who may answer the telephone identify the Offices in both official languages of Canada;
- (3) in order to be able to carry out the above recommendation, unilingual anglophone or francophone employees of the Customs and Excise Tax Offices in Moncton learn to identify their respective Offices in English and French;
- (4) unilingual English-speaking or French-speaking employees of the Customs and Excise Tax Offices in Moncton learn one or two phrases in the other language in order to be able to relay telephone calls to an employee who speaks the appropriate language;



(5) the Department of National Revenue, Customs and Excise, take all necessary steps to distribute copies of the *Boating Safety Guide* at the Customs Office in Moncton which are identified in French and English in both versions, precedence being given to English in the English version and to French in the French version, by 31 December 1972;

(6) henceforth the Customs and Excise Tax Offices in Moncton have on hand at all times a sufficient permanent stock in both official languages of public-use forms presented separately in both languages;

(7) henceforth the Customs Office in Moncton use the newer bilingual versions of forms A8A, A10, AG1 and C10 in place of the older, unilingual versions which they presently have in stock;

(8) the Department take all necessary steps so that bilingual services are provided at all times at the Moncton Airport by the Customs Office in Moncton;

(9) service to the public be provided automatically in both official languages at the Customs and Excise Tax Offices in Moncton, rather than on specific request.

## COMPLAINTS—CUSTOMS AND EXCISE

### 1. Customs Offices

#### *File No. 939—Gander*

The complainant noticed that French immigrants who were on their way to work for the Michelin Tire Company in Nova Scotia were unable to obtain services in their own language from customs officers at Gander International Airport.

The Department acknowledged that it had been unable to provide services in French in this instance. However, a customs officer at Gander was now learning French. Arrangements would be made with Air Canada for an interpreter to be on hand when a demand for services in the French language was anticipated.

#### *File No. 1044—Fredericton*

A French-speaking person pointed out that the plate identifying the Customs and Excise building in Fredericton was in English only.

The Commissioner informed the complainant that the Department had raised the matter with the Department of Public Works, and a new bilingual plate had been installed.

*File No. 1801—Moncton*

A woman complained that the information service in the Moncton office answered telephone calls in English only, and that French-speaking clients were treated with considerable arrogance.

The Commissioner informed the complainant that in September 1972, the Special Studies Service of his Office had investigated the bilingual services provided by the Department in its Moncton office. The Commissioner made nine recommendations, three of them with respect to telephone service. At the end of February 1973, the Department told the Commissioner that it had been able to carry out all his recommendations, and assured him that services were now available in both official languages.

*File No. 1209—Clair*

A French-speaking person reported that the part of the Canada Customs building fronting on the main street in Clair, New Brunswick, bore the unilingual designation "Canada Customs". On the other hand, the sign on the part of the building fronting on the United States was bilingual.

The Department informed the Commissioner that the Department of Public Works had corrected the situation.

*File No. 1239—Lacolle*

A French-speaking person complained that the Lacolle customs post had issued passengers on a bus with unilingual English versions of the E 67 5/69 Secondary Referral form.

The Department replied that at the time of the complaint, only English versions of the form were in stock at Lacolle. Bilingual forms were available, but had not yet been shipped to the Lacolle post. Since 6 September 1972, only the bilingual form had been issued to travellers.

*File No. 952—Montreal*

A complainant sent the Commissioner a bilingual slip issued by the Department bearing the legend "NO INF".

The Department took action to correct the situation.

*File No. 996—Ottawa*

A complainant reported that he had been unable to obtain service in French during the Christmas season in 1971 at the customs office located in the post office building on Alta Vista Drive.

Because of the vagueness of the complaint, the Department was unable to determine its cause. At the time the incident occurred, service to the public was provided by eight employees, four of them unilingual English-speakers and the rest bilingual.

The Commissioner reminded the Department that the fact of a client's addressing a member of the staff in French constituted in itself an implied request for service in French, and it should be provided without delay.

*File No. 655—Toronto*

A correspondent from Quebec City wrote to the Secretary of State to protest against the seizure by customs officers at Toronto International Airport of a camera he had purchased at a duty-free port abroad and which he had not declared. He said he had not received service in French and, as he did not understand English very well, a situation had arisen which could easily have been avoided if matters had been explained to him in French. The Secretary of State forwarded the correspondence to the Commissioner.

According to the complainant, he had been advised (incorrectly) by his travel agency, before undertaking his trip, that it was not necessary to declare articles purchased at a duty-free port; he had therefore claimed only a \$25 exemption instead of the \$100 exemption to which a person is entitled in any given year. He refused to pay the \$112.20 demanded by Customs, believing himself fully justified, and accepted a receipt for his seized camera because his connecting flight to Montreal was about to take off.

The complainant wrote to the Department of National Revenue (Customs and Excise) to claim the return of his camera on the grounds that it had been unjustifiably seized. He asked what he would have to do to prove his case.

After this the complainant exchanged a great deal of correspondence with the Department, including sworn affidavits and letters from the travel agency and the complainant's travelling companion, in an attempt to convince the Department that there had been no intent to smuggle, or to defraud the government.

The Commissioner's role was naturally confined to trying to determine whether the complainant had been served in French at the airport, and whether being served in French would have made a difference to the complainant's comprehension of the regulations and in his declaration at Customs.

The Department maintained that two or three bilingual customs officers had been available, that the complainant had not indicated he wanted to deal with a bilingual officer, and that his comprehension of,



and speech in, English was such that they had no reason to suppose there was any language difficulty. The Department added that the reason given by the complainant for not declaring the camera at the airport was not one of language difficulties, but resulted from a misunderstanding between the travel agency and the complainant.

The customs declaration form was bilingual, and the portion dealing with purchases made abroad was made conspicuous by the use of red ink.

The complainant had stated at one point that he had asked a person in uniform standing near the baggage chute if anyone spoke French, and had received no reply. The Department believed that this could have been an employee of an airline company or other organization, but not a customs agent.

The Department emphasized that the complainant had not used his right of appeal, in the prescribed manner.

The Commissioner concluded that the complainant had failed to declare the camera for other than linguistic reasons. He therefore did not pursue the question further and informed the complainant of this decision.

#### *File No. 1121—Niagara Falls*

A French-speaking person stated that he had not been offered services in his language at the Niagara Falls customs office and added that most of the posters and signs there had been in English only.

The Commissioner investigated this complaint in the context of an inquiry being conducted by his Special Studies Service into the Department's bilingual services to the public. Following this study, the Commissioner formulated 48 recommendations for ensuring that services were offered in conformity with the requirements of the Official Languages Act. Several of these dealt with the recruiting and assigning of bilingual staff and the display of posters in both official languages. Although some of these recommendations would require more time than others to be put into effect, the Commissioner assured the complainant that he would be following closely the steps the Department took to conform with the requirements of the Act.

#### *File No. 1297—Sudbury*

A complainant from Sudbury reported that the customs clearance stamp used for damaged parcels was in English only. When he telephoned the customs office for an explanation, he noted that the receptionist, although bilingual, gave the name of the Department in English only.

The Department replied that all unilingual stamps would be replaced by bilingual ones and that it had issued instructions for the Sudbury office always to be identified in both official languages on the telephone.

*File No. 1337—North Bay*

A French-speaking visitor to the federal building in North Bay found that the signs on the doors of the Excise Tax District Office and of the Customs & Excise Examining Warehouse were in English only.

The Department made arrangements with the Department of Public Works to replace the unilingual sign at the District Office with a bilingual one, and to remove the sign at the warehouse, which was not open to the public.

*File No. 1074—Edmonton*

A French-speaking person alleged that when he went to the Edmonton customs counter to claim a parcel of books from France, the clerk had said during the course of their conversation that French was a foreign language in Canada.

The Department informed the Commissioner that the vouchers which were presented in order to clear the parcel were printed in French, Flemish and English. There seemed to have been a misunderstanding about the clerk's remarks to the effect that French was a "foreign language". She had not intended to question the status of French as an official language, but had merely been asking a question, somewhat clumsily perhaps, in order to establish whether or not the books were subject to duty. In fact, the regulation specified that books "in any language other than English" were admitted duty-free. In order to prevent the recurrence of such misunderstandings, the Department instructed its clerks to quote the actual text of the tariff regulation.

*File No. 1343—Vancouver*

A complainant claimed that when he went through Customs at Vancouver International Airport he had been denied service in French by a unilingual employee who did not call upon a bilingual colleague to serve him in his own language.

The Department told the Commissioner that the complainant had presented a declaration form completed in French, and acknowledged that this should have been taken by the customs officer as an implicit demand for service in that language. If he was not himself bilingual, he should have called upon a bilingual colleague to serve the complainant. The Department had since reminded all officers at the airport of their obligations and of the relevant guidelines to follow.

However, the Department had not made it clear whether or not there had been a bilingual officer on duty when the incident occurred. Although it said that it had assigned four bilingual officers to the airport two days later, the actual position when the complainant passed through was still obscure.

The investigation confirmed that there had been no bilingual employees on duty at the airport when the complainant was there. It was also learned that the Department was planning to assign a fifth bilingual officer because five were needed to ensure that services in French were available on each shift.

As a result of the investigation and because Vancouver is an international airport, the Commissioner decided to recommend that the Department assign the fifth bilingual officer to it without delay. He asked to be informed when the fifth officer was actually "on the job".

The Department in due course told the Commissioner that a fifth bilingual employee had been added.

## 2. *Language of Work*

### *File No. 45—Montreal*

The nature of this complaint was set forth by the Commissioner in his *Second Annual Report* (pages 213-14). Briefly, it concerns a French-speaking employee of the Department who works in Montreal and wishes to communicate in French with his colleagues outside Quebec.

When the complainant repeated his complaint at the end of the 1971-72 fiscal year, the Commissioner decided to have a member of his team carry out an on-the-spot inquiry.

From the documents already in the Commissioner's possession and from the report of the above-mentioned inquiry, it appeared that, among other things, there had been a distinct increase in the use of French as a language of work at the Excise Tax Office of the District of Montreal West since the office became a French-language unit in November 1971. At the beginning of 1971, about 70 per cent of the customs inspection reports had been written in English, whereas the reverse was true by the spring of 1973, with some 70 per cent of the reports being written in French. Since 33 of the office's 39 employees were French-speaking, there was no doubt that the predominance of French as the language of work reflected in a more pragmatic way the requirements of the Official Languages Act in this area.

Nevertheless, there were still language problems in this office in the summer of 1972. The inquiry revealed that, as a general rule,



employees could not communicate in French with other units of the Department outside Quebec. The Commissioner therefore recommended that the Department authorize its employees to communicate in the official language of their choice with any other unit of the Department anywhere in Canada.

In addition, some of the forms used by the employees of this office were still only in English. The Commissioner therefore recommended that the forms be made available in both official languages as soon as possible.

Before 1971, the employees of this office worked almost exclusively in English and were consequently on the whole more familiar with English technical terminology than French. The Commissioner recommended that each employee be given a French dictionary and that French technical dictionaries and English-French and French-English technical vocabularies or glossaries be placed at the disposal of all employees.

The inquiry also disclosed that among the office's six English-speaking employees, some were unilingual while others had a limited knowledge of French. The Commissioner recommended that those English-speaking employees who so desired be permitted to take French courses. He recommended further that in future no English-speakers should be assigned to the French-language units unless they had a sufficient knowledge of French.

The Department said it accepted the view expressed by the Commissioner on the subject of communication with other units, but informed him that certain practical considerations prevented it, for the present, from putting his recommendation into effect on a nationwide basis. The Commissioner continued his discussions with the Department on this point. As for the remaining recommendations, the Department had given them careful consideration, and had already put a number of them into effect. For example, all forms used by employees had for some time been available in both official languages. The matter of dictionaries and glossaries had also been settled.

#### *File No. 1625—Quebec*

A senior officer in charge of a French-language unit of the Department in Quebec City sent the Commissioner a copy of a letter he had written to the head of the Treasury Board's Bilingualism Division.\* Although more than a month had gone by, he still had not received a reply. His complaint was that his unit had been visited by two departmental inspectors from Ottawa, both unilingual English-speakers. He

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\*Now Official Languages Branch.

believed that inspectors sent to Quebec City to visit an officially designated French-language unit should be able to speak French.

The Treasury Board's Bilingualism Division sent the Commissioner a copy of its reply to the complainant. The Department had acknowledged its error and would see that future inspections involving French-language units were carried out by inspectors with a good knowledge of French. It had apparently been an isolated incident but nevertheless the Bilingualism Division asked the complainant to inform it of any unilingual English communications, either oral or written, that his unit received from the head office in Ottawa during the next five or six months.

During the investigation, it was found that the unit lacked basic working instruments such as typewriters with French keyboards and French versions of departmental manuals. Their absence was obviously a greater obstacle to the promotion of French as a working language than a single visit by English-speaking inspectors. The complainant was told how to obtain these materials from his Department.

The Commissioner was very pleased to learn of the firm stand which the Bilingualism Division had taken and its insistence that the Department fulfill its duties to its French-language units. He also observed that one problem had led to the discovery of another perhaps more important one, and action had been taken to remedy them all.

### *3. Miscellaneous Complaints*

#### *File Nos. 1242, 1243—Competition*

A Member of Parliament and a union representative wrote to the Commissioner concerning an employee of the Department who was disqualified from competing for promotion to a bilingual position. The employee had failed a Public Service Commission French-language test which was a prerequisite for the competition.

After carefully examining the information provided, the Commissioner was obliged to conclude that he had no clear jurisdiction in the matter since the nature of the complaint did not constitute a contravention of the Official Languages Act. The government's policy was that the determination of linguistic requirements for federal public service positions was the joint responsibility of the Treasury Board and the department concerned. The Public Service Commission, in accordance with the Public Service Employment Act and the position requirements of departments, prescribed selection standards, including those related to language, and determined the language knowledge of candidates.

It is only if these procedures result in an infraction of the Act, for example by a failure to provide service in both official languages, that the Commissioner's jurisdiction is invoked. Nevertheless, upon receipt of written authorization, the Commissioner referred the matter to the Department, the Treasury Board and the Public Service Commission.

The Commission reassessed the second-language knowledge of the employee and concluded that he did not qualify for the position sought. The Department re-examined the case and stated that it was satisfied that no discrimination or injustice had occurred. The complainants on behalf of the employee were informed of the results of these reviews.

#### *File No. 986—Dating System and Postmarks*

A Montrealer complained that the Department's dating system did not conform to the usual order of giving the date in French. The complainant also deplored the inequality shown in the selection of characters for French and English in postmarks.

The Department explained that the abbreviation "Fév. 2/72" conformed to the instructions given in the office manual published in 1961 with the authorization of the Department of the Secretary of State. While taking due note of the Department's version of the facts, the Commissioner nevertheless recommended the use of the day/month/year sequence and suggested that the month be indicated in Roman numerals. As for the postmarks, the Commissioner, in co-operation with the Department, studied the possibility of granting precedence to French on postmarks in Quebec.

The Department acknowledged that the international system for identifying the date (day/month/year) had the advantage of eliminating the problem of giving precedence to one language in indicating the month, but it was of the opinion that it would be preferable to indicate the month in letters, since an experiment in its Montreal offices had shown that the use of Roman numerals led to confusion.

At the Commissioner's suggestion, the Department agreed to convert all its date stamps to the international system.

#### *File No. 1499—Labelling*

A French-speaking correspondent complained that the excise labels on liquor bottles were in English only.

Following the Commissioner's intervention, the Department ordered new bilingual labels.



## EVALUATION

*The Department's efforts to correct situations which gave rise to infractions of the Official Languages Act, and generally to implement 5 of the 13 recommendations made by the Office, have been positive and seldom parsimonious. The Commissioner's interest in this Department is growing at an increasing if not compound rate: even before the Department became the subject of a special study, it had already drafted a basically sound policy statement, had made a serious effort to provide a variety of language-training programmes, and made bilingual a major part of its forms and written informational material.*

*In general, the Department has been co-operative in handling complaints and has done its best to comply with the provisions of the Official Languages Act throughout the country. Experience has shown that taxes can be collected in French as well as in English, with no loss of revenue.*

Time has not of course allowed some of the recommendations made by the recent study (completed in May 1973) to be fully implemented. Indeed, in a few cases, precise indications as to how the Department plans to implement its recommendations are lacking; but the Commissioner, in view of the Department's active co-operation, hopes that all recommendations will soon have been acted upon.

Of the 13 recommendations the Commissioner made, five have been put into effect (Recommendations 1, 2, 6, 12, 13) and the others are in various stages of implementation. The Department has agreed to publicize more widely its capacity to offer services in the two languages, to issue all future publicity, with minor exceptions, in a bilingual format, to staff its public-contact positions with an adequate number of bilingual personnel, and to arrange for correspondence to be answered without delay in the language of the correspondent. While the problem of ensuring that English and French tax forms are adequately displayed in post offices has not been resolved, the Department has taken new steps to ensure that taxpayers will receive their tax returns in the language of their choice.

During the period under review the Commissioner received 44 complaints concerning the Department; most of them were settled within a reasonable time.

Only six complaints needed recommendations, and in certain instances corrective action was extended by the Department on a nationwide basis.

Some situations, in particular telephone services at the Ottawa office, gave rise to a series of complaints. However, considering the large

number of calls received at this office, a few complaints were to be expected. In most cases, the complaints were not specific enough to allow accurate assessment of the Department's share of responsibility.

On several occasions taxpayers complained of not receiving income tax forms in the official language of their choice. It should be pointed out, however, that in most cases the Department was not to blame as the language of the form matched the language used by the complainant in his return of the preceeding year. In rare instances, administrative error was cited, but *errare humanum est* applies even to computers.

### *SPECIAL STUDY—TAXATION*

This study of the Taxation sector was initiated at the invitation of the Department in July 1972. Its purpose was to examine and evaluate the steps taken by the Department to ensure compliance with the Act as far as language of service was concerned. Focusing first on head office, both as an operating entity with public contacts of its own and as a central administrative body whose policies affect all its offices across the country, and secondly on the service provided by the district and regional appeals offices, the study dealt with questions of policy, personnel, language training and language retention, public information programmes, telephone services, documents directed to the public and signs.

The study team found that the departmental policy statement on bilingualism was basically a sound guide to employees in terms of the Department's responsibility to provide service to the public in both official languages. However, the team determined that there was a need to complement this statement so as to define the Department's publics, the extent and breadth of bilingual service to which they are entitled, and the Department's understanding of what constitutes regular and sufficient demand. Furthermore, the findings revealed that, in all but a few instances, staff at the district level could have benefited from additional information on the implementation of the bilingual programme.

The operations of head office result in little direct contact with the public, except in the case of the Data Centre, which processes Individual Income Tax Return forms. The Centre follows the policy of sending out the notice of assessment to members of the public in the official language used in the tax return itself. If further contact is necessary, taxpayers are directed to the district taxation offices; it is here and at the regional appeals offices that the Department has most of its contacts with the public.

Although all but one of the twelve offices visited had some bilingual capability, in most instances it was inadequate to meet the

current or potential demand for services in both official languages. In some cases there was an insufficient number of bilingual staff and in others the bilingual personnel were inadequately distributed, both within functional divisions and at various levels of seniority. The team learned that the Department had experienced difficulty in recruiting bilingual personnel with the necessary technical expertise, particularly in such fields as auditing. Since it was unlikely that the recruiting problem could be resolved in the short term, language training appeared to be a necessity.

The Department had made a serious effort to provide a variety of language-training programmes for its staff. Senior staff at head office had attended courses offered by a private agency and other employees in Ottawa had enrolled in the Public Service Commission's Language Bureau Programme. The Department also supports a Bicultural Exchange Programme and had posted language teachers to its Edmonton and Saskatoon offices. A major problem, however, is that of language retention and the team found that the Department should, when language trainees return to work, give careful consideration to the potential use of their newly acquired language skills.

The Department is to be commended on the care it has taken to provide public information programmes in both official languages. It also offers an extensive information service at individual district taxation offices, where the officer responsible participates in local radio and television interviews to inform the public about tax law and regulations. At all but one office, the Department provided this service in both official languages. The major part of all written informational material was also available in both languages, but the team found that its distribution to the media and to the public was uneven. It is therefore possible that minority language groups in some areas did not receive such information in their own language. If the Department made a concerted effort to inform the public that it is capable of providing bilingual services, there is reason to believe that the demand for such services would reach its normal ceiling. The Department would then have the threefold advantage of using its bilingual resources more fully, of offering greater opportunity to its language-training graduates to use their second language and, finally, of taking an important step towards changing its image from that of a unilingual institution.

Other written material directed to the public, such as various forms and the publication *Inside Taxation*, are prepared bilingually either in single format or in separate English and French versions. Although this presentation is quite in keeping with the requirements of the Act, the team found that counter displays of the material often contained only the English version or gave the impression that only the English version was available. Moreover, many post offices did not maintain stocks of



Individual Income Tax Return forms in both languages. The responsibility for this oversight was shared by the Department and the Post Office since the former is responsible for originating the forms and the latter for their availability, an arrangement which members of the public are unlikely to accept as a reason for lack of service. In addition to these documents, it should be mentioned that calling cards were found to be unilingual. Such cards are not of course items of major importance, but for convenience and symbolic reasons they should be rendered bilingual.

The question of telephone services may be divided into three parts, namely listings, reception and information. In certain parts of the country, directory listings either were in English only, or, if bilingual, could only be found under the English heading "Income Tax". Telephone reception practices varied widely, but only one office answered incoming calls in both languages. With respect to requests for information, especially those placed with the assessing section of district taxation offices, it was anticipated that the "Zenith" system, in effect for the 1973 tax filing period, would cause problems of some magnitude as a result of an insufficient quantity or an inadequate distribution of qualified bilingual personnel.

Still within the general context of communication with the public, translation played an important role. Of nine offices using translation to answer correspondence received in French, six used their own staff to do the translations, two used their own staff together with the translation services of their head office in Ottawa and one systematically sent all French correspondence to Ottawa for translation. The team determined that, although asking local office staff to translate correspondence avoided the delays which often result from sending work to Ottawa, the present system nonetheless contained certain drawbacks. A lack of accuracy could result in a violation of the Official Languages Act regarding the equality of status of the two languages; secondly, the Translation Bureau Act gives the Translation Bureau sole authority over translation for government departments. Therefore, while the ideal solution to the problem would be the presence of an increased number of qualified bilingual personnel, the study team formed the opinion that, in the interim, directors of district offices should make efforts to have the Translation Bureau hire professional translators and post them to offices where needs are sufficient to justify their presence.

As regards signs, both internal and external, the team found that the programme to render them bilingual was well behind the Department's own deadlines. Given their symbolic importance in projecting the bilingual image of the Government of Canada, it was necessary to give prompt attention to this question.

Despite the weaknesses outlined above, the Commissioner commends the Department on the high priority it is according to bilingual reform and on the important changes that have taken place within the organization in recent years. In order to assist the Department in bringing its goals to a more permanent and complete realization, the Commissioner recommended that:

(1) the Department substitute for its present manner of determining the staff required by its various offices to provide services in both official languages, i.e. proposed bilingual districts, population percentages and numerical minimums, a method which more clearly reflects the potential demand represented by the actual areas of concentration of the minority-language group, the qualified bilingual staff actually needed to serve those areas throughout the working day and the most effective distribution of that staff across and within functional sectors of the Department having contact with the public;

(2) in line with its own intent, as expressed in its statement of bilingual policy, the Department develop and implement a comprehensive information programme involving senior officials and the Bilingualism Advisor, to inform all levels of staff across the country of the Department's programme to implement the Official Languages Act. This programme should be completed by 28 September 1973;

(3) so as to eliminate error, delay and unnecessary referrals in the provision of service in both official languages, the Department ensure that all important public information facilities such as counter and telephone reception in district taxation offices be adequately staffed with personnel capable of providing service in both official languages; and, where there is an insufficient capacity, at present, to provide the service required in both official languages automatically, the Department consider adopting the following measures:

(a) designating by means of notices particular contact points at counters where the public may obtain service in either of the two official languages;

(b) listing, in telephone directories, a number or numbers which will be answered by personnel with competence in both official languages;

(4) so as to inform the public of its willingness and capacity to provide service in both official languages, the Department adopt a policy of answering telephones in both official languages when:

(a) there is a significant concentration of the minority language group in the area served by the office and;

(b) when a central switchboard system is used in the office;

(5) the Department utilize its public relations officers in district taxation offices to publicize its capacity to provide service in both official languages;

(6) the Department ensure that all media of both official languages throughout the country be offered publicity of informational material, such as *Tax Tips*, so that equal access to information is available to both language groups;

- (7) the Department ensure that all publications available in district taxation offices be displayed so that titles are visible in both official languages. Where publications have been prepared in separate French and English editions, steps be taken to ensure that supplies are readily available and displayed in both official languages;
- (8) the Department pursue its objectives of answering correspondence in the language in which it is received by continuing to encourage and upgrade the originating of material in the two languages; and, the Department also work out with the Translation Bureau of the Department of the Secretary of State whatever additional translating arrangements are meanwhile needed to provide, for its security requirements, equal quality in both languages and the elimination of any disparity in the relative time taken to answer correspondence in both official languages;
- (10) in order to ensure freedom of choice for the taxpayer, and as one indicator for determining demand for service in both official languages, the Department consider providing on 1973 Individual Income Tax Return forms a method for enabling the taxpayer to indicate his or her language preference for future service;
- (11) the Department discuss immediately with the Post Office Department ways and means of ensuring that, in all post offices where Individual Income Tax Return forms are made available to a public comprising both official-language groups, those forms are stocked and displayed without fail in both languages;
- (12) a system of regular monitoring be established to ensure compliance of the Department as a whole with the requirements of the Official Languages Act;
- (13) implementation of the above recommendations jeopardize neither the job security nor the career opportunities of departmental personnel.

## COMPLAINTS—TAXATION

### 1. Tax Forms

*File Nos. 766 (Bonnyville), 1766 (Brossard), 1770 (Ottawa)*

Three French-speaking people complained that they had received tax forms in English even though they had filled them out in French the previous year. One of them added that several of his friends had received their forms in French a month after the English ones had been distributed.

The Department said it regretted these incidents and pointed out to the Commissioner that its practice was to send tax forms to the millions of Canadian taxpayers in the official language of their choice. The Department's computers had been specially programmed to do this. However, mistakes were always possible in mail sorting. The



computer determined the language of the taxpayer according to whether he had used English or French in filling out the previous form. The 1971 forms had had to be altered as a result of certain changes in the tax law, and the need for translation had delayed the printing of the French version. The English forms therefore had been distributed before the French ones were ready. The Department stated that it intended in future to issue the forms simultaneously in both languages, and it had reminded employees at its district offices of its instructions for complying with the Official Languages Act.

*File No. 1682—Memramcook*

A French-speaker from New Brunswick received an English version of the 1972 income tax return form. He asked the Commissioner to arrange to have the Department send him a French form as quickly as possible. In addition, he said he wished to receive all future forms and correspondence in French.

The Department stated that the computer code which determines the language of the form was based on the language of the last return filed, which, in the complainant's case, was a 1971 English return. The code on the complainant's record had been changed to French to ensure that future correspondence and forms would be sent to him in that language. In the meantime, the Department had sent him a 1972 French form.

*File No. 1758—Ste-Foy*

A French-speaking taxpayer complained that he had received an assessment notice in English.

The Department explained that it determined the official language of its correspondents from the language which they had used in completing their most recent tax forms. It appeared that the complainant had used an English form, which explained why an assessment notice had been sent to him in that language. The Department took steps to ensure that he would in future receive all correspondence in French.

*File No. 1645—Sudbury*

A French-speaking complainant stated that his family received two English and two French income tax return forms. According to him, all four had received English forms the previous year and had replaced them with French forms which they obtained from the local post office. Consequently, they all had expected to receive French forms the next year. He also complained that the guides accompany-

ing the two French forms were in English. Finally, he could not understand why the equivalent of the word "street" that appeared as part of the address on the English forms was not included on the French forms: only the number and name of the street appeared on the latter.

The Department confirmed that the complainant and his sister had filed income tax returns for 1971 in French. However, his father and brother had both filed English personalized forms for 1971, which was why they were sent English forms for 1972. The Department suggested that the father and brother should obtain French forms at the local post office or, if they had already filed their returns in English, they could request the local District Office to arrange for the computer language code to be changed the following year. The Department was unable to determine why English guides had been sent with the two French forms. Some ten million forms and guides were assembled and put in envelopes mechanically and it was possible that some errors occurred.

The Department said that the absence of the word "rue" on French forms had been brought to the attention of the officers responsible and would be taken into consideration when the present computer printing system was next reviewed.

Since the word "rue" is an integral part of a correctly written address in French, the Commissioner recommended that it be included in the address on French-language forms mailed out to the public the next year.

The Department then explained that the computer logic included an alpha identification which would have been rendered inoperative had "rue" preceded the street name on the French address. A numerical identification was now being used which made it possible to give the full and correct address in French. However, because it would have been very costly and time-consuming to change all the master files for the 1973 season, the Department would make the change on all new addresses and extend it to all street addresses in French over a period of time.

#### *File No. 1740—Toronto*

A French-speaker criticized the Department because he had been unable to obtain French tax forms at the Toronto district office. The person who answered him had treated his request in a rather offhand manner.

The Department said it was very sorry that the complainant had received an ungracious reply. It informed the Commissioner that the policy at this office had always been to make forms available in both official languages. Since at the time of the incident there were more

than 70 employees handling telephone enquiries, the Department was unable to identify the person responsible. However, the office director had brought the matter to the attention of the employees and reminded them of the instructions on this subject.

The Commissioner informed the complainant that his Office's Special Studies Service was in the process of completing an inquiry into the bilingual services offered by this Department and intended to make specific recommendations on the basis of the inquiry.

*File Nos. 741, 920—Winnipeg*

- A French-speaking correspondent complained that French tax forms did not become available at Winnipeg postal station No. 4 until more than a month after the English forms.

The Department admitted that this was so, adding that at that time French forms had been available in Winnipeg only at the district office. It expected, however, that from the following year it would be able to send the forms out earlier in both official languages.

The Commissioner reminded the Department that, in order to comply with the requirements of the Official Languages Act, it must supply postal substations with forms in both official languages so that a taxpayer is not obliged to go to the district office to obtain a form in the language of his choice.

- The complainant had been unable to obtain a T3-1971 tax form in French at the Winnipeg district office.

The Department claimed that it had sent forms in both official languages to this office. The Commissioner reminded the Department that it was not sufficient merely to have the form in stock: employees should make it actually available to the taxpayer in the language of his choice.

*File Nos. 919, 1069, 1070—Edmonton*

- The complainant had been unable to obtain a T2019 "Basic herd" form in French at the Edmonton district office. He claimed, moreover, that he had not received satisfaction from the Department's offices in Ottawa, to which he had sent a written request for one.

The Department could not explain why the complainant had failed to obtain a copy of the French form as it had indeed been available at the Edmonton office. As for the request submitted to Ottawa, the Department said that it could not check the facts without knowing the complainant's name and address. The latter, however, did not wish to reveal his identity to the Department.

The Commissioner sent the complainant a copy of Form No. T2019.



- The complainant criticized the Edmonton district office for not supplying the St. Isidore post office with enough tax forms and for taking too long to reply to letters written in French.

The Department replied that it had supplied the post office with forms in both official languages. On the basis of the previous year's demand, it had sent out, in January 1972, 10 T1 Short forms in English and 12 in French, with instructions for reordering. As for the delay in replying to letters in French addressed to the Edmonton office, the Department was unable, without more details, to determine exactly what the complainant had been referring to. It agreed, however, that as a general rule a correspondent should not have to wait three weeks for a reply.

Since reordering forms was the responsibility of the Post Office Department, the Commissioner brought this matter to that Department's attention. It sent a directive to its regional directors requiring them to make sure that the forms supplied to post offices by the Department of National Revenue (Taxation), and any other government forms, were always available in both official languages.

## *2. On the Telephone*

*File Nos. 1171, 1655, 1745—Ottawa*

- A French-speaker complained that the telephone switchboard operators of the Appeals Division in Ottawa were unable to provide service in French.

The Department acknowledged that such a situation could have arisen during the renovations which had forced the Division's staff to move to temporary premises. Because of this, the rule that calls must be received and routed by a bilingual person had not always been observed. It had been agreed that for a short time secretaries, some of whom were unilingual, would answer telephone calls to their employer.

The Commissioner considered that the Department's explanations did not justify even a temporary suspension of bilingual reception services and he recommended that the Department take the necessary steps to ensure that such infractions of the Act did not recur.

- A French-speaker and an English-speaker alleged that the Income Tax Information Service of the Ottawa District Office was unable to serve them over the telephone promptly and adequately in their language.

The Department stated that it was its policy to ensure service to every citizen in the official language of his choice. It explained that at

the Ottawa District Office there were 18 staff members answering Information Service telephones. Ten of them were unilingual English-speaking and eight bilingual. In addition, two supervisors were available who were both fluent in English. The unilingual employees had instructions to transfer French-language calls to their bilingual colleagues. However, at peak periods the Service sometimes became over-taxed and the waiting period longer.

The Department added, in the case of the English-speaking complainant, that every effort would have been made to accommodate him if he had asked to be served by an English-speaking employee.

The Commissioner reminded the Department that a person should not have to ask specifically to be served in English or French. The very fact of addressing the Information Service in either language was an implicit request for service in it. The obligation to offer service to the public in the official language of its choice rested with the institution. The Commissioner added that it should be an easy matter to instruct all personnel to use a simple phrase such as "One moment, please" or "Un instant, s'il vous plaît" and transfer the caller to a colleague who spoke the appropriate language.

The Commissioner recommended that the staff of the Ottawa District Office be deployed in such a way as to assure to everyone telephoning the Information Service prompt service in the language of his choice. He also suggested that one or two employees be designated to answer telephone calls from French-speakers only: they would transfer to others calls from English-speakers.

### *3. Miscellaneous Complaints*

#### *File No. 1090—Income Tax Allowance*

A complainant wrote to the Commissioner about the difficulty she was having in obtaining income tax allowance for tuition fees she incurred for French-language courses in 1970. She told him that she had obtained a tax allowance for the same purpose in 1971.

The Commissioner explained he had no jurisdiction in the situation described, but offered, in an unofficial capacity, to forward the correspondent's letter to the Taxation Branch of the Department. The complainant accepted the Commissioner's offer.

The Commissioner was later informed by the Department that the tax deduction had been allowed.

#### *File No. 1097—Poor French*

A complainant from Welland criticized the Department for the poor quality of the French in a bilingual circular.

The Department admitted that the complainant's assertions were well founded, and apologized to him. An employee had not had his letter checked by the Translation Division.

The Commissioner suggested that the Department pay special attention to the quality of its French so that similar incidents would not recur.

#### *File No. 1332—Competition Poster*

A French-speaking person told the Commissioner that the language requirements on competition poster 72-TAX-HO-CCID-109 for the position of Printing and Scheduling Clerk should specify that a knowledge of both French and English was essential: if the position were given to a unilingual English-speaker, French-speaking public servants who wanted to order printing work in their own language would find themselves unable to exercise this right.

An investigation of the complaint disclosed that the position in question was in a section comprising five positions, two of which were filled by bilingual employees. French-speaking public servants could deal with one of them. As long as these two employees, or one of them, could work with French-speakers in French and see that orders for printing received in French were properly executed, the language requirements of the position in question would not be an obstacle to French-speaking public servants working in their own language. The Department stated, moreover, that less than 10 per cent of the work of this section was done in French.

The Commissioner informed the Department that if the section could, as claimed, carry out its work with equal efficiency in both official languages, then it satisfied the requirements of institutional bilingualism without needing to declare the position in question bilingual.

#### *4. Correspondence*

##### *File No. 783—New Brunswick*

A complaint from Moncton criticized the Saint John office for replying in English to a letter written in French.

After making inquiries, the office stated that it had written to the complainant in English because she had completed her tax form in that language. However, there was no excuse for replying in English to a request for information made in French. Indeed, departmental directives required employees to answer letters in the official language used by the correspondents.



The Department asked the Commissioner to convey its apologies to the complainant. On the Commissioner's recommendation, it asked its Saint John office to send the complainant forms in French in future.

#### *File Nos. 1651, 1819—Ottawa*

- A French-speaking person who had completed his tax declaration in French complained that the Department had sent him in English a request for additional information.

The Department informed the Commissioner that the complainant's tax declaration had been in a batch of 50 that had been completed in English and the clerks had quite unintentionally forgotten to pass his to the appropriate service. Even though instructions to employees concerning language use were quite specific, the Department thought it advisable to draw the clerks' attention to this incident so as to prevent a recurrence.

- A complainant wrote to inform the Taxation Data Centre in Ottawa that he had changed his address. His letter was returned to him stamped with the date and the notation "Received—Taxation Data Centre" in English only. He claimed that the stamp should have been in French or bilingual format.

The Department replied that its policy was to correspond with the public in the official language of its choice. The complainant's letter had been returned to him by mistake, an error that was unlikely to recur. The Department added that stamps in bilingual format were being made available wherever they were likely to be used by departmental personnel of both language groups.

The Commissioner accepted the Department's explanation that the letter was returned to the complainant in error. He recommended that the Centre be provided with bilingual stamps as soon as possible.

The Department replaced the unilingual stamps with bilingual ones.

### PARLIAMENT—"For Whom the Bell Tolls"

#### *EVALUATION*

*Members of the public are particularly alert in noting contraventions of the Official Languages Act in such symbolically important places as the Parliament Buildings. Here, if anywhere, they rightly consider, compliance with the Act should be taken for granted.*

*During the period 1970-73, the Commissioner received 24 complaints. Most touched on services provided to public or parliamentarians*

by House of Commons staff; a few dealt with working conditions of security guards. Speakers of both Houses were concerned with criticisms about activities under their control, and co-operated readily in investigating complaints.

The Speaker of the House of Commons took an active interest in all complaints alleging inadequate arrangements for French-language guided tours of Parliament's Centre Block. Regrettably, complaints continued to arise during 1973, indicating that his obvious good intentions had not yet produced their full desired impact.

## COMPLAINTS

### *File No. 772—Sessional Journals*

A French-speaking correspondent complained that, in the House of Commons, although most of the working documents issued by the Index Branch are written in both French and English, only the English texts are revised by the Journals Branch. According to the complainant, the French-speaking writers must then adapt their versions accordingly, without consideration of the original content of their texts; thus priority is always given to the English documents, and almost everything written in French is merely a translation from the other official language.

The Clerk of the House of Commons explained to the Commissioner the established procedures for compiling the indexes for the English and French journals: every day, the French and English sections of the Index Branch receive their respective copies of the votes and proceedings of the House. These are indexed as quickly as possible on a day-to-day basis, with each section having full responsibility for indexing its own copies.

At the end of each session, before the sessional indexes are printed in the journals, the English and French indexers meet with the advisory and research personnel of the English and French sections of the Journals Branch to go over the part of their indexes which deals with questions of procedure only. They do not go over entries for the topics discussed, since these are checked jointly by the English and French sections of the Index Branch when the indexes for the daily votes and proceedings are compiled.

Shortly after receiving the reply from the Clerk of the House, the Commissioner learned from the complainant that the situation which was the subject of her grievance had been rectified to her complete satisfaction.

*File No. 991—Special Senate Committee on Poverty*

A French-speaking correspondent drew the Commissioner's attention to the poor quality of the French translation of *Poverty in Canada*, the report of the Special Senate Committee on Poverty. He also complained of the quality of the French in documents published by the Canadian Council on Social Development.

The Commissioner informed him that he had already consulted both the chairman of the Committee and the Speaker of the Senate regarding the translation of *Poverty in Canada*. He had urged them to do everything possible to ensure the highest quality of French in future publications.

The publications of the Canadian Council on Social Development do not come within the Commissioner's jurisdiction, even though the Council receives grants from federal institutions. The Commissioner, however, said he would forward the complaint to the Council if the complainant authorized him to do so and provided him with specific examples of poor French. The complainant did not take up the Commissioner's offer.

*File Nos. 1004, 1051, 1219, 1257, 1585—Guide Service*

- A lady who accompanied a group of students during their visit to the Parliament Buildings complained that the guides were hard to understand because their English was poor.

The Commissioner referred the complaint to the Speaker of the House of Commons who explained that it had been difficult to secure sufficient students with both the right personality to perform guide duties and an adequate knowledge of both official languages. The guides had only just taken up their duties a few days before the incident complained of occurred. Because of the complaint, each guide would be tested to determine whether or not he was able to give satisfactory service to the public in both English and French.

- A French-speaking person who had visited the Parliament Buildings with his family and friends wrote to a newspaper to complain of certain aspects of his visit.

A guard at the entrance announced "English at right, Français à gauche", so he took his place in line. He soon noticed that the other line moved forward more rapidly. When they eventually reached the entrance, the French-speaking group had to squeeze against the wall to allow those leaving to pass. This was not required of people in the other line.

The visitor asked a guard a question in French and received no reply. He informed another guard of this and was told that 20 years ago



French-speaking persons would not hear any French spoken in the Parliament Buildings, whereas they were now accorded this favour. The guard added that any complaint should be made to the Speaker of the House, and asked the complainant to stop haranguing him.

Near the end of the tour, the guide assigned to the group told them they could go to the top of the tower if they wished. However, when they reached the stairway to the tower a sign, in both official languages, informed them that the tower was closed. The French-speaking visitors therefore dispersed, but the complainant remained behind and saw a guide with an English-speaking group remove the sign and take them up the tower.

The Commissioner felt there were sufficient elements of discrimination in this newspaper account to warrant bringing the matter to the attention of the Speaker of the House.

The Speaker replied that he had no comments to offer.

- A French-speaking person from Sudbury, who had resided in Ottawa the previous year, told the Commissioner that it was only after many visits to the Parliament Buildings that he had realized that guided tours were available in French. When he lived in Ottawa, visitors used to be directed to the right of the balustrade at the entrance by a guide who spoke in English only.

In July 1972 the complainant returned to Ottawa with his brother and they went together to visit the Parliament Buildings. On this occasion, because of the crowd, visitors had to wait outside, and a guide informed new arrivals that if they wanted to visit the Buildings they must get in line. This was said in English only.

Since the complainant knew it was possible to have a French-speaking guide, he asked to have one. He was told that a tour in French would be organized and was asked to stand aside to the left of the line. The guide informed them that since there were only two of them, they would have to wait until a large enough group was assembled. Others who were waiting in line asked why the complainant and his brother were standing apart. The guide told them that he was organizing a tour in French. Immediately ten or so joined the complainant and his brother. All of them had been unaware that tours were available in French.

The guide inside the Parliament Buildings who shepherded the visitors along did not seem to know that a tour was to be conducted in French and the outdoor guide had to remind him of it.

The complainant said he considered it shameful that this was the situation at the very seat of government in Canada.

Another French-speaking correspondent wrote to the Commissioner in same vein. He did not discover that tours in French were available until his party, being guided in English only, was in the House of Commons proper and it was too late to go back and start over again.

At the main entrance to the Parliament Buildings, two French-speaking persons asked in French at the reception desk what time the guided tours took place. The reply was: "Do you speak English?" The receptionist continued speaking in English and neglected to tell them that there were tours given in French; they therefore took an English tour. Moreover, the complainants had to translate the guide's explanations for the rest of the group, since everyone was French-speaking.

The Speaker of the House of Commons told the Commissioner that, in his opinion, the guide service in the Parliament Buildings was generally satisfactory. He added that, as far as possible, persons with personalities and good judgement suited to this type of work were recruited for the position, and that the public's reaction was generally favourable.

There were some problems, however, particularly during the summer months, when the number of visitors increased considerably. It was not surprising that certain difficulties arose during this peak period. The Speaker nevertheless felt that two changes should be made to improve the situation. Firstly, signs would be placed in the lobby telling visitors where to go to obtain the services of a French or English guide as desired. Secondly, instructions would be given so that the visitors would no longer have to wait until there was a large group before beginning their guided tours. The tours would thus take place at more reasonable intervals.

The Commissioner suggested that, in addition to these changes, people waiting in line outside the Buildings should be informed as soon as they arrive that tours are conducted in both English and French and they should be directed to the appropriate line.

#### *File No. 1437—Mailboxes*

A French-speaking person pointed out to the Commissioner that there was a plate bearing the word "Letters" without its French equivalent on the mailbox located near Room 139 in the West Block.

The Clerk of the House informed the Commissioner that, following this complaint, an investigation had been made of all plates of this type in the Centre and West Blocks and that 36 bilingual plates had been put on mailboxes to replace unilingual ones.

## *File No. 1693—Conditions of Work*

A French-speaking secretary working for a Member of Parliament in the House of Commons complained that she was called upon to translate French-language correspondence into English for the benefit of the Member's unilingual English-speaking first secretary. The complainant, who was the third secretary in her particular unit, did not believe that translation should be considered part of a secretary's work.

The Clerk of the House of Commons expressed the opinion that this problem was a general one affecting secretarial staff, and language was only involved incidentally. He told the Commissioner that every Member of Parliament had several secretaries, at least one of whom was assigned to him from a central pool. The higher-ranked and higher-paid secretary frequently did less actual work than junior secretaries, who were often called upon to remain late at the office, despatch the mail, and do last-minute tasks. The junior secretaries were naturally resentful of this state of affairs. The Clerk said it was a difficult problem to solve and emphasized that it was not one that involved racial or linguistic discrimination.

The Commissioner agreed.

## POLYMER

### COMPLAINT

#### *File No. 1093—When is a Crown Corporation Not a Crown Corporation?*

The complainant received from the Corporation a reply in French to an inquiry made in French. He complained to the Commissioner that the Corporation used stationery with an English-language letter-head and with an English-language advertising slogan stamped on the envelope.

The Corporation assumed that the complaint was lodged by a person with whom it had previously communicated in French but to whom it had replied in English on a subsequent occasion. Since the correspondent requested a reply in French to the second communication, the Corporation had complied with his wishes.

The Corporation indicated that since several members of its staff were bilingual, it was in a position to communicate with the public in French as required by the Official Languages Act. It requested for its guidance a copy of any directives or guidelines



issued by the Commissioner as it had not understood that the Act required that its letterhead and the advertising slogan stamped on the envelope by postage meter machine be also in French.

The Commissioner advised the Corporation that the Act imposed on Crown corporations the duty to provide at their head office services in both official languages. The lack of a French letterhead on official stationery used by the Corporation for correspondence with French-speaking persons was, in his opinion, inconsistent with the provisions, spirit and intent of the Act. He stated also that the practice of using a solely English letterhead in such cases seemed to warrant a review as the Corporation had been granted supplementary letters patent authorizing it to use a French name.

The Commissioner therefore recommended that the Corporation use either a bilingual or a French-language letterhead in communications with French-speaking correspondents or in replies to letters received in that language. The Commissioner further stated that he did not issue general directives or guidelines but made recommendations directed to specific situations. He sent the Corporation a copy of his *First Annual Report* hoping that the Corporation might find it useful.

In its reply, the Corporation stated that Polymer was sold by the government on 31 July 1972 and was now a wholly-owned subsidiary of the Canada Development Corporation. The latter company, by its incorporating statute, was not an agent of Her Majesty or a Crown corporation within the meaning of the Financial Administration Act. "Although our status has changed," the Corporation added, "we recognize that there are practical benefits to be derived from using the French language in dealing with Francophones. While we receive few letters in French, we intend to continue our practice of replying in that language."

The Commissioner felt that although neither Polymer nor its new parent, the Canada Development Corporation, is a Crown corporation or agency of Her Majesty within the meaning of the Financial Administration Act, they are institutions of the Parliament and Government of Canada under Section 2, and agencies of the government under Section 9, of the Official Languages Act. The Commissioner was of the opinion that they both represent the "federal presence" as emanations of Parliament and that Polymer's status has accordingly not changed in the eye of the Official Languages Act.

At the end of the fiscal year, the Commissioner was still awaiting appropriate action by the Corporation.

## EVALUATION

*This Department has rendered bilingual most of its forms and publications, and many of its signs and other printed material. In January 1974, it started to devise ways of informing its employees about the Act's requirements. Yet its person-to-person service to the public in both official languages, viewed on a national scale, has been scanty and uneven. Headquarters has generally been slow and somewhat unco-operative in settling the 106 complaints received since 1970, and has needed numerous proddings. Recurrence of complaints from the same area or locality, often revealing similar infractions of the Act, and the Department's failure to remove their causes, leave the Commissioner just a little perplexed.*

In a study relating specifically to the Moncton post office, and carried out in the summer of 1972, the Commissioner made 11 recommendations. The Department carried out those dealing with the visual aspects of bilingualism. It informed the Commissioner that printed matter intended for the public and stamps for use on envelopes and documents that go outside the office had been rendered bilingual. Unilingual signs, notices and insignia for which the Department was itself responsible had been replaced. On the other hand, some unilingual signs which were the responsibility of the Department of Public Works had still not been translated in October 1973.

The Department, however, showed little haste to implement the five recommendations on oral communication with the public. Only one of these recommendations had been applied as of October 1973—that concerning bilingual telephone service. The other four recommendations were in the process of being applied. The Commissioner recommended that bilingual services be provided at wickets in the main office and sub offices and that postal delivery service be available in both official languages in Moncton. He also recommended that the Department institute language-training and recruiting programmes in order to increase the bilingual capability of the staff in this office. In accordance with new Treasury Board directives, the Department is to "identify" and "designate" as bilingual a certain number of positions; the Commissioner hopes that this will enable it to comply with the requirements of the Act.

Although the Department's new attitude is positive and implies a respect for the requirements of the Act, the Commissioner still has no real guarantee that service is currently being provided in both official languages. He believes that the Department could obtain better results if it exercised greater supervision over the implementation of its direc-

tives at the local level. It could thus ensure that members of the public receive prompt and courteous service in the official language of their choice.

### *SPECIAL STUDY*

This study was conducted by the Commissioner's Office because of the institution's broad contact with the public, the essential nature of the service the institution provides and the number of complaints received by the Commissioner.

The Post Office Department's public consists of a local public, a travelling public and migrant workers seeking employment across Canada in various seasons. Postal services to the public are provided primarily by wicket (counter) clerks, letter carriers, mail service couriers and rural route couriers. In small post offices, such as revenue and sub-post offices, the postmaster or postmistress was the sole public-contact employee.

This study revealed that senior management felt generally committed to the Act. However, the gap between senior management's desire to implement the Official Languages Act and its actual execution was wide. Bilingual service was provided mainly upon request and then only when and where deemed feasible and possible by the Department. That was taken to mean that the Department should at least provide minimal services in the two official languages in areas having a minority official-language group of 10 per cent or more. Locations where provision of such services was greater than the absolute minimum were exceptions rather than the rule. The overriding concern of the Department was to respond, as well as it could, to demands for service as they appeared, while relying heavily on "remaining within the law". The action taken by the Department during the period under review to meet its country-wide obligations to the aforementioned publics had been sporadic rather than systematic.

The Department had waited over the years for some clear guidance, from a central agency of the government, concerning the implementation of a languages programme. However, when no such direction was forthcoming, the Department proceeded to make bilingual service available to its public on the basis of its own "Proposal for Bilingualism".

Despite their limitations and problems, the Department's accomplishments, namely the provision of at least minimum bilingual service in areas having a linguistic minority of 10 per cent or more and the rendering bilingual of some of the tangible aspects of service, were attributed to senior management's positive attitude towards the Act, the



appointment of a Bilingualism Adviser, creation of the "New Look" programme, the provision of language training and some preparatory consultations and arrangements with the employees' associations.

The Commissioner's staff learned that the other programmes of the Department were run on "management by objectives" principles. Unfortunately, implementation of the Act did not benefit from such techniques. The Department required an all-embracing policy statement, specific short- and long-term objectives accompanied by dates of completion where practicable and the allocation of ultimate responsibility for the whole departmental programme to the senior management committee. Guidelines translating the Act's requirements, especially those relating to demand for service, into administrative terms were found to be absent. The lack of such guidelines rendered unlikely a common understanding of the Department's obligations under the Official Languages Act and effective contribution by all administrative components to the common goal. A consistent and well-planned information programme for employees and management alike was also found to be lacking. The study revealed that such a programme was indispensable if implementation of the Act was to be based on firm grounds.

Essential elements for planning and execution required more attention. These would include a specific knowledge of existing total and bilingual resources and of future requirements, plans for meeting those requirements, second-language test results, budgetary arrangements and additional human resources, bilingualism co-ordinators, and review and monitoring systems. Persons with breadth of administrative and management experience, imagination and vision would have to be entrusted with the complexity of the task of ensuring the whole Department's compliance with the Act. By virtue of the Department's "New Look" programme, many of the unilingual physical aspects of service to the public such as signs, inscriptions, printed material and other visual aspects were, or were being rendered, bilingual without any definite target dates for completion. The programme for change-over to a bilingual format of these unilingual objects could, as a short-term objective, be completed as quickly as possible and without much effort.

Likewise, support facilities, such as translation, language training and retention, needed to be organized and extended on a well-planned basis.

Because most of the public-contact employees belong to employee unions, a great deal of preparatory work and consultation would be necessary before any serious manpower planning could be effected. Similarly, formal agreements and informal arrangements with the Department's smaller post office and delivery-route working staff needed revision. A firm agreement between them and the Department would have to be concluded to ensure service to the public in either official

language. Any administrative arrangement concerning postal employees should be carried out after prior consultation with the unions and with due regard for the job security and negotiated rights of the employees.

The main conclusion which could be drawn from the study was that, although the Department had managed to make some progress towards implementation of the Act, a great deal of work still lay ahead to ensure full compliance. On the basis of the research team's findings it was evident that, to bring itself into compliance with the Official Languages Act within the foreseeable future, the Department had to approach the task in a more rational and systematic manner than in the past.

The Commissioner recommended that:

- (1) (a) the headquarters set, for the Department, as soon as possible, clearly defined short-term and long-term objectives, fully reflecting the letter as well as the spirit and intent of the Act, accompanied wherever possible by target dates for completion;
- (b) the ultimate responsibility of initiating a programme of implementation, developing plans of approach, establishing teamwork between the headquarters and its administrative arms, giving a common direction to both concept and application, and integrating the goals of the units with those of the Department as a whole, be assumed by the Department's Advisory Committee;
- (2) the headquarters communicate, fully and precisely to its appropriate administrative arms, for the purpose of ensuring a common understanding and uniformity of approach, guidelines on how to view demand, on how to establish an adequate and satisfactory level of bilingual service, the distinction to be made between service upon request and service made available automatically, the level of linguistic proficiency required for different public-contact activities, the importance of bilingualism in the audio-visual facets of service to the public and the many other essential requirements of the Act;
- (3) the headquarters plan and launch, as soon as possible, an in-depth explanation cum information programme concerning the Department's obligations under the Official Languages Act, directed to its employees at all levels but especially to those responsible for implementing the Act and to those directly or indirectly serving the public;
- (4) in order to arrive at the planned course of action required to comply fully with the Act, the Department determine
  - (a) the number of unilinguals speaking French or English and of functional bilinguals, with the latter's level of second-language proficiency, currently employed in each public-contact activity, at each regular, sub-, and revenue post office where there is a minority language group in the area served by the office;
  - (b) the number of unilinguals speaking French or English and of functional bilinguals, and, in the case of the latter, the level of second-language proficiency, needed to serve the public automatically and satisfactorily, by each public-contact activity, at each post office as in (a);

(c) the number of unilinguals speaking French or English and of bilingual employees possessing the requisite level of proficiency, by each public-contact activity, and by each post office as in (a) that must be produced through recruitment, deployment, language training or a combination of these, to make up the difference between (a) and (b) within a foreseeable future;

(5) in determining 4(b) the Department should replace its present manner of determining its unilingual and bilingual staffing needs on the basis primarily of bilingual districts, population percentages and numerical minima, by a method more clearly reflecting the potential demand represented by

(a) the minority official language group inhabiting the area being served,

(b) the response of that group when service is offered to it automatically in its language,

(c) the requirements of the Act respecting the travelling public including migrant workers, and covering

(i) all primary and secondary public-contact employees, namely postal clerks, letter carriers, mail service couriers, rural route couriers, postmasters, assistant postmasters, supervisors, secretaries and others with any level of public contact,

(ii) the number of qualified unilingual or bilingual staff, regular and other, needed to serve those areas throughout the working day, and the most effective distribution of that staff across and within functional areas having public contact, on the basis of all or some of (a), (b) or (c) above;

(6) the headquarters ensure effective implementation of the Act

(a) by appointing full-time co-ordinators at the regional and/or district level, accountable for achieving desired and timely results;

(b) by making a separate budget and supplementary manpower available to the regions and/or districts for purposes of the Act at least until such time as the Act is fully implemented and its implementation is an integral part of all departmental administration and operations;

(c) by taking the necessary steps so that the results of tests on second-language proficiency administered to employees are made available to the manpower sections at the district level to enable them and the co-ordinators to incorporate the linguistic factor into their manpower utilization activities;

(7) the headquarters institute a systematic method for periodic review and measurement for evaluating the extent to which its objectives are being achieved and the effectiveness of its plans of action in relation to these objectives;

(8) an annual turnover record of employees be kept by the personnel function at the regional or district level as appropriate and that this be made available to the co-ordinator of bilingualism for effective forecasting, planning and programming of the net bilingual manpower complement required;

(9) in order to strengthen its bilingual public image the Department communicate to the public its capability of serving in the two official languages wherever that capability is now reasonably adequate, and elsewhere as soon as that capability is developed;



(10) the Department make optimum use of its unilingual and bilingual staff by relocating, where necessary, those bilinguals who are willing and able to move, and replacing them by unilinguals when the duties can be performed equally efficiently in one language only, by defraying the costs of moving the family if and when required and providing suitable incentives to make such moves mutually beneficial;

(11) the headquarters introduce a bilingual service clause in formal contracts and informal arrangements with those who are serving the public, on its behalf, namely sub-, and revenue post offices, mail service couriers and rural route couriers, when the area being served embodies a minority language group. Such a clause should be comprehensive enough to cover any service provided by such persons as sub-contractors, too. In the case of contracts and arrangements the renewal of which is not due until a number of months or years hence, some interim measures be adopted to ensure the availability of bilingual service in the meantime;

(12) (a) the Department seriously consider making language training, at appropriate levels of proficiency and content, an integral part of the overall job training programme;

(b) the Department take all possible steps

(i) to ensure that English- and French-language training is made available, through existing and reputable language training facilities offered by both the government and private sectors across the country;

(ii) to ensure that the various levels of management make such language training available to those employees currently occupying public-contact positions and to those who will or may occupy such positions eventually, on a top priority basis under whatever conditions are most conducive to results, whether it be on the Department's time and at its expense, or after hours and with suitable incentives, or any combination of these conditions, and including the adequate provision of temporary replacements;

(c) in addition to a systematically planned language-training programme, the Department establish a sustained retention programme for employees at all levels, making use of monitors, audio-visual aids, informal sessions, inter-district, inter-regional and national transfers whenever possible and any other suitable means;

(13) the Department take all steps to

(a) determine the level of translation assistance, including that for correspondence, required at regional or district level, making sure that service to the public does not suffer from undue delay caused by lack of facilities in one or the other official language;

(b) make that facility available through headquarters or outside facilities or a combination of both; support staff and/or other employees who are not recognized trained translators should not be called upon or indirectly pressed into doing translation, in deference to the principle of equality of quality of the two official languages and bearing in mind that translation now performed by regular employees may, if it violates that principle, constitute a contravention of the Official Languages Act;

(14) (a) the Department take immediate steps to render bilingual as soon as possible

- (i) all remaining exterior unilingual identificational signs across the country;
- (ii) all remaining unilingual directional and informational signs, including directory boards and others, in areas to which the public has access in and around offices serving both official language groups;
- (iii) all remaining unilingual printed material for public use including calling cards, telephone listings, tags, stickers, rubber stamps, notices, posters, leaflets, inscriptions on trucks, mail boxes, vending machines, uniforms etc.
- (b) and ensure that in offices serving both official language groups, all departmental and other material intended for public view is displayed in the two languages;
- (c) the Department ensure further that all media of both official languages throughout the country be offered publicity or informational material, so that both language groups are equally informed;
- (15) (a) the Department is identified in both official languages over the telephone in any office where the area covered by that office contains a minority language group;
- (b) when more extensive information than in 15(a) is required by the caller, the person answering, if unilingual, be taught a few courteous phrases in the other official language designed to keep the caller waiting until a bilingual person can be brought on the line;
- (16) implementation of the recommendations listed in this document is conceived and carried out without jeopardizing the job security or career opportunities of the Department's personnel;
- (17) furthermore, in implementing the preceding recommendations, the Department maintain close liaison and consultation with its employees' unions.

### *SPECIAL STUDY—MONCTON*

The Office undertook a study of the Moncton Post Office in June 1972, with a view to determining its capacity to provide services to the public in both official languages.

The Moncton Post Office, the study team found, provided certain services to the public in both official languages with no difficulties. All Post Office forms as well as other federal department forms made available to the public at the post office were bilingual. With the exception of one item published locally in Moncton, all printed information material was available in both official languages.

However, the study team discovered major weaknesses in the provision of other essential services to the public. For the most part, there was a lack of bilingual personnel in key public-contact positions and an inefficient deployment of bilingual employees already on staff. The Moncton Post Office employed 315 employees of whom 312 were

in the Main Post Office and three in Postal Station "A". A large number of these employees had frequent contact with the public. For instance, 18 postal clerks occupying wicket positions were in continuous contact with the public. Only two were able to serve the public in both official languages. Fifty per cent of the local letter carriers were bilingual. Five of the twelve sub-postmasters were also bilingual. The *Memorandum of Conditions*, it should be noted, which serves as a contract between the sub-postmasters and the post office, did not include a clause for the provision of bilingual services. With regard to telephone identification and service, the team observed that service was available only in English for the line connecting with "Administration".

Owing to the low rate of turnover in staff throughout the year, very little active recruitment takes place. In the past, a bilingual capability has only been thought necessary for two officially designated bilingual positions of Postmaster and Information Clerk. Although post office officials stated that recruitment for certain public-contact positions (wicket section and letter carrier) was rendered more difficult by the collective agreement with the postal unions, the team concluded that a greater emphasis should be placed on creating an adequate bilingual capability when postal clerks and letter carriers are first recruited.

Finally, it was observed in the course of the study that with only one postal employee enrolled in second-language training, the post office did not appear to have taken advantage of the language-training facilities in the Atlantic Region.

The Commissioner recommended that:

(1) the Department send the Moncton Post Office specific directives concerning the practical implementation of the Official Languages Act by 31 December 1972;

(2) all printed information for public use published by departmental headquarters or at the regional, district or local levels, be made available in both official languages at the Moncton Post Office by 31 December 1972;

(3) all unilingual stamps used by the Moncton Post Office for external use, be made bilingual by 31 December 1972;

(4) without jeopardizing the job security of present incumbents of wicket positions, the Department take the necessary steps to ensure that service is provided in both official languages at the wickets in the Post Offices of Moncton by 30 September 1973;

(5) without jeopardizing the job security of present incumbents, the Department take the necessary steps to ensure that all letter carriers working on walks requiring a bilingual capacity in Moncton be able to serve the public in both official languages by 31 March 1975;

(6) henceforth, all employees answering calls from the general public identify the Post Office in both English and French;

(7) henceforth, all persons at the Moncton Post Office answering calls from the public, who speak only one official language, be able to inform



the caller in the language used by the latter, that the call will be transferred to another employee capable of providing service in the appropriate language;

(8) the Department review its terms of agreement with Sub-Postmasters in Moncton to ensure that the latter are capable of providing services to the public in both official languages by 31 December 1973;

(9) all signs, inscriptions and insignia used by the Department in Moncton, be rendered bilingual by 31 March 1973;

(10) the Moncton Post Office make a concerted effort to recruit bilingual personnel for all positions involving contact with the public in order to ensure compliance with the requirements of the Official Languages Act;

(11) the Department provide all employees occupying public contact positions in the Moncton Post Office the opportunity to participate in second language training at the earliest date possible.

## COMPLAINTS

### *File No. 1255—Prince Edward Island*

A complainant with an unmistakably English name received through the mail a publicity folder written entirely in French, advertising new Canadian postcards issued by the Department.

The Department admitted that a mistake had been made. It checked with post offices in Prince Edward Island to make sure they had received the instructions to distribute this kind of information in the official language of the client and were following the correct procedures.

### *File Nos. 771, 875, 929, 1182, 1225, 1548—New Brunswick*

• A French-speaking person reported that in two Moncton post offices, namely Station "A" and the Reid Street office, income tax return forms were not available in French, some of the signs were in English only and service was not provided in French.

Regarding the income tax return forms which are normally placed in post offices at the beginning of each year, the Department drew the Commissioner's attention to a directive enjoining the regional directors to ensure that all offices make the forms sent them available to the public and that they order more forms when necessary.

The Department also made an investigation of the signs in all its New Brunswick offices. Subsequently, the Department of Public Works issued a call for tenders for the manufacture of 107 bilingual signs. They were to be put up before the end of March 1973.

Concerning Station "A", the Department said that two of the three employees working there were bilingual. Normally, at least one of these two was on duty, and the Department regretted that the complainant had not been able to obtain service in French.

The Commissioner recommended that the Department make sure that its employees are assigned in such a way as to enable the office to provide service in both official languages at all times.

The Department pointed out that the Reid Street office is located in a store belonging to a private individual. The Commissioner recommended that agreements made with private individuals take into account the requirements of the Official Languages Act.

- Some complainants pointed out that the signs outside and inside a post office in Bathurst were in English only.

The Department informed the Commissioner that to rectify the situation it had ordered French signs. It added that it was inspecting all post offices in New Brunswick and Prince Edward Island to ascertain whether there were any other such unilingual signs.

- Some French-speakers pointed out that certain mailboxes and post office boxes in the Moncton area were identified in English only.

The Department admitted that the identification on the mailboxes located along Highways 1 and 5 was unilingual, and told the Commissioner that it was correcting this. It was also arranging to make the identification on the post office boxes in the Moncton area bilingual.

- A French-speaker sent the Commissioner a bilingual order form that she had received from a post office in Moncton, and pointed out that there were apparently no employees in this office capable of speaking French.

The Commissioner pointed out to the Department that it was its legal duty to provide the public with service in both French and English in areas like Moncton. He added that the order form could be useful in areas where there was no great demand for service in one of the two official languages. The Commissioner also reminded the Department of the recommendations he had made following a special study of postal services in Moncton by his Office, particularly Recommendation 4, which suggested that, without prejudicing their job security, the Department should ensure that by 30 September 1973 the counter clerks were capable of providing service in both official languages.

The Department replied that it would use the bilingual order form in Moncton until its training and recruitment programmes made it possible to increase the number of bilingual clerks.

The Commissioner contacted the Department a second time to remind it that use of the order form in Moncton constituted a violation of the Official Languages Act, even if it was only a temporary measure

The Commissioner recommended that the Department withdraw the order form as soon as Recommendation 4 had been applied.

The Department subsequently informed the Commissioner that it had increased the number of bilingual employees in its Moncton office, but admitted that there were still not enough of them to meet the demand satisfactorily. The office continued to use the bilingual order forms.

*File Nos. 842, 870, 874, 1108—In Quebec*

- A complainant told the Commissioner that it was impossible to obtain proper service in English at two post offices in Sainte-Thérèse.

The Department replied that the employee in charge at one of the post offices was experienced and, although not fluently bilingual, had a sufficient command of English to serve English-speaking customers. The Commissioner concluded that there was no contravention of the Act. The other post office had ceased operation in November 1971.

- A citizen complained that he had not been able to obtain service in French at the Gracefield post office during the lunch hour.

The Department informed the Commissioner that three of the four employees in this office were bilingual; the fourth had trouble expressing himself in French but worked only nine hours a week. The Department added that he replaced the postmaster or his assistant in their absence. At the time of the incident, he was replacing the postmaster's assistant.

The Commissioner recommended that the Department rectify this situation and ensure that service was at all times provided in both official languages.

The Department accepted the Commissioner's recommendation and assured him that the public would in future be served in the official language of its choice.

- A French-speaking Montrealer criticized the Department for making notes in English (such as "call for") on envelopes addressed to him.

The Department informed the Commissioner that shortened phrases were generally used to minimize the time required for handling the mail. However, it asked the employees to write the notes in French when the mail was being sent to French-speakers. The supervisor of the Montreal postal stations was to send a directive to this effect to all personnel.

- A French-speaking person pointed out that the Beauharnois post office used a unilingual English stamp on mail bearing insufficient postage.

The Department admitted that the complaint was justified and rectified the situation.



- In October 1971, a complainant was unable to obtain service in French at the post office on the corner of Slater and Metcalfe Streets in Ottawa, although bilingual service had been provided there in the past.

The Department informed the Commissioner that this post office, which was closed in February 1972, was part of a commercial establishment. The owner was responsible for postal services and had assured the Department that French-speaking customers were able to obtain service in French from bilingual clerks.

The Department admitted that it would have been preferable if the owner had hired a bilingual assistant, but added that he could not be forced to do this under the terms of the contracts in effect at the time.

The Commissioner recommended that the Department revise the contracts with the sub-post offices so that the latter respect the Official Languages Act.

- A French-language association in Ottawa received a letter in English from the Department.

The Department informed the Commissioner that this had been an oversight, since its policy was to answer correspondents in the official language of their choice.

- A correspondent complained of not being able to obtain service in French at the post office in the Westgate Shopping Centre.

The Department stated that this sub-post office was located in a privately owned establishment. The owner, who was under contract to the Department, assured it that French-speaking customers could be served in French because there was a bilingual person on the premises.

The Department acknowledged that it would be equitable to have bilingual staff in every sub-post office, but said that this could not be required under the terms of the existing contracts. The Commissioner recommended that in order to avoid this difficulty the Department should revise the contracts to take into account the requirements of the Official Languages Act. The Department, in accordance with Article 1 (6) of its contracts, asked those in charge of sub-post offices in the National Capital Region to have someone available to provide service to the public in both official languages.

- A complainant reported that the Alta Vista post office did not always offer services in both official languages and did not identify itself in both languages on the telephone.

The Department said that four of the eight employees in this post office were bilingual and that it tried to ensure that there was

always one of them on duty. The Department admitted, however, that because of unforeseen circumstances there were times when no bilingual person was on duty.

The Commissioner recommended that the Department redeploy its staff in such a way that services in both official languages would be ensured at all times. As for answering the telephone, the Department reminded its employees of their obligation to identify the post office in both languages, in order to avoid a repetition of such incidents.

- A complainant reported that on 27 July 1972 he had been unable to obtain the French version of Form 79-14-506 from the Besserer Street post office.

The Department informed the Commissioner that it had issued directives to all its postmasters asking them to make sure that all documents intended for the public were bilingual.

In October of the same year, the complainant pointed out to the Commissioner that the form was still not available in French. The Commissioner then asked the Department to confirm that the form had indeed been translated, and to send him a copy of it. Two months later the Commissioner received a bilingual copy of the form.

- A French-speaking person complained that a notice and a poster in the Alta Vista post office were printed in English only.

The Commissioner's investigation revealed that the labels were available either in English or in French. The Department agreed to replace these with bilingual labels.

The Commissioner recommended that the bilingual labels be adopted by 31 March 1973 at the latest, and this was done.

- A French-speaking person complained that a notice and a poster in the Besserer Street post office were printed in English only.

The Department said that in future all posters would be bilingual. The notice was replaced with a bilingual document.

- A French-speaking complainant stated that too many of the clerks at Postal Station "D" were unilingual English and that this situation had existed for some time. He had noticed it most recently at 2:30 p.m. on 7 February 1973.

The Department said that on the date and at the time of the incident, two of six employees and the manager on duty were bilingual. It added that one of the other employees was taking a French course. The Department had repeated its instructions to all employees to ensure that the linguistic rights of the public were respected.

The Commissioner asked for and received a copy of these instructions. He informed the complainant of the action taken by the Department.

- The Commissioner received four complaints from French-speaking persons who told him they were obliged to speak English to get service at post offices in Sudbury.

The Department said it could not understand why the complainants had not received service in French as the post offices had the facilities to provide it. In fact, over 50 per cent of the wicket staff in the city's post offices were bilingual. At the Elm Street post office, seven of the fifteen full-time wicket staff were bilingual and the relief clerk was also bilingual. At the postal station on Lasalle Boulevard, two of the four employees were bilingual.

The Department informed the Commissioner that all unilingual employees in Sudbury would be reminded that customers must be given service in the official language of their choice.

Despite the Department's assurances, and after making a formal recommendation that Post Office personnel should offer service in the official language first used by the client, the Commissioner received a further complaint. He told the Department that he could not understand why its directives and instructions were not being followed, particularly as there was considerable bilingual capability at the Sudbury post offices.

- A complainant stated that it was almost impossible to obtain service in French at the Kirkland Lake post office since only one employee out of twenty-seven could speak French. He added that 20 per cent of the population of Kirkland Lake was French-speaking.

The complainant also alleged that the three post office employees at Virginiatown were unilingual English-speakers whereas the population was 75 per cent French-speaking. He added that at Kearns the sole postal employee was a unilingual English-speaker although 60 per cent of the people in the village spoke French.

Another complainant said that postal service was not available in French at Matachewan, Larder Lake and Swastika.

The Department informed the Commissioner that the Kirkland Lake post office had 25 employees, two of whom were bilingual. The Department planned to raise the French-speaking capability to at least 20 per cent.

At Virginiatown and Swastika, the situation was as the complainants had described it. The Department believed that staff changes and retirements over the next two years would enable it to hire a bilingual employee for each office. In the meantime, bilingual order-forms would be provided to assist French-speaking customers to obtain service.



At Kearns, the post office was operated by a unilingual English-speaking postmaster because no bilingual person had the necessary qualifications when the position was advertised.

The Matachewan post office was operated by one employee whom the Department considered to be proficient in both official languages. His wife, who occasionally assisted him, was bilingual.

The post office at Larder Lake had a staff of three. The postmaster was a unilingual English-speaker but his two assistants were bilingual.

The Commissioner, when he had investigated the first complaint, recommended that:

- 1) the Kirkland Lake post office be staffed with sufficient bilingual personnel so that it could offer services in both official languages to the public;
- 2) the Virginiatown post office develop a bilingual capability so that it could offer service to the public in both official languages; and
- 3) the Kearns postmaster be given French language training relating to his work so that he could offer service to the public in both official languages.

Shortly afterwards, Post Office Department personnel and two members of the Complaints Service of the Commissioner's Office met to discuss the implementation of the recommendations.

It was evident that the Department was having considerable difficulty in determining what steps it should take to meet the requirements of the Official Languages Act in all its post offices, large and small.

The Department was working on a policy and programme to be applied throughout Canada which it intended to present to the Commissioner for his comments before it was put into effect. It would be based on Treasury Board guidelines. It was agreed that the Commissioner's Special Studies Service would examine the specific complaints that had been made, in the broader context of a special study.

- Several French-speaking persons complained that the Department did not provide services in French in the post office in Belle-Rivière, which has a large French-speaking population.

The Department said that the staff in that post office consisted of a postmaster, two full-time assistants and a part-time assistant. It pointed out that the postmaster was bilingual and used both languages in the course of his duties. It added that the part-time assistant, who was bilingual, had been replaced in September 1972 by a unilingual English-speaker, and that the Department was looking for a full-time bilingual assistant. When this position was filled, at least half the staff would be bilingual.

The Commissioner asked the Department to inform him as soon as the bilingual assistant had been hired, and added that he hoped the post office would then be in a position to offer services to the public in both official languages. He recommended that the Department issue a directive reminding its employees of the requirements of the Official Languages Act.

The Department later informed the Commissioner that it had hired a full-time assistant who had a fairly good knowledge of French. It added that the postmaster was aware of his obligations under the Official Languages Act and that the post office was now in a position to serve the public in both languages at all times.

- A complainant sent the Commissioner a copy of a newspaper clipping showing that the sign on the post office at 17 Front Street, Toronto, had larger lettering for the English text than for the French. He believed that the equality of status of the two official languages had not been respected.

The Department replaced the sign with a new one which gave equal prominence to the French and English texts.

#### *File Nos. 1058, 1522—Manitoba*

- A complainant was concerned about the fate that had befallen the designation "St. Boniface" when this city joined Winnipeg, and the postal codes had to be changed.

Since this complaint did not concern the equal status of the two official languages, the Commissioner was unable to carry out a formal investigation. He did, however, bring this matter unofficially to the Department's attention.

The Department replied that a decision to amalgamate St. Boniface and other municipalities with Winnipeg to create a metropolitan region was taken after consultations between the provincial government and the municipalities concerned. The Department, for its part, was obliged to respect this decision and regretted that the only solution it could provide was to use cancellation stamps bearing the designation "St. Boniface—Winnipeg".

- A member of a French-language organization in Manitoba complained of inadequate bilingual services at the Winnipeg General Post Office. She also sought assurance that the full range of bilingual postal services would be maintained at Saint-Norbert.

The Department informed the Commissioner and the complainant that the Winnipeg General Post Office was able to offer all its services to the public in both official languages. It added that the French-speaking population at Saint-Norbert would have the full range of postal services in their own language.

The Commissioner was satisfied with the information provided by the Department.

*File No. 721—In Alberta*

A complainant informed the Commissioner that service to French-speaking customers was very slow at the main post office in Edmonton. He added that services in French were virtually non-existent in the Kensington and Wellington areas, particularly at four smaller post offices.

The Department, armed with statistics from the 1961 Census, told the Commissioner that in its view there was no significant demand for services in French in Edmonton.

The Commissioner replied that population statistics were one element to be considered in determining demand but they were not the only factor. He suggested that complaints were in themselves evidence of demand and added that, in his experience, when bilingual service was made available, it always brought out latent demand which had not previously been evident. The Commissioner therefore recommended that bilingual services should be offered at the four smaller post offices.

The Department made a general survey to determine which areas needed more bilingual capability. As an interim measure, dictionaries, word-lists and bilingual order-forms were distributed to appropriate areas of the Western Region. According to the Department, its survey showed that bilingual personnel were available to provide the public with services in both official languages, where necessary. In places where it believed demand was low, bilingual order-forms had been placed at the disposal of staff and customers. The Department said that it would take no further action until it had examined the Canada-wide survey undertaken by the Commissioner's Special Studies Service.

The Commissioner accepted the use of the form in certain Edmonton post offices as a short-term solution. He said that it was not acceptable as a long-term solution because it meant that services to the public were not of equal quality for both language groups: English-speaking clients had only to ask for what they wanted, while unilingual French-speaking people were obliged to go through the somewhat humiliating exercise of filling out a form.

The Commissioner repeated that the Department should strive to develop a satisfactory bilingual capability at all post offices in the Edmonton area so as to provide services of equal quality to both languages groups, in keeping with the Official Languages Act. The Department replied that it was identifying bilingual positions in accordance with Treasury Board directives and would complete this procedure by December 1973.



*File No. 1181—In British Columbia*

A complainant pointed out that the Coquitlam postal station was identified in English only and claimed that it could not provide service to the public in both official languages.

The Department acknowledged that the sign outside the postal station was unilingual and agreed to replace it with a bilingual one. It also said that it would assign a bilingual counter-clerk.

The Commissioner asked to be notified as soon as the clerk was actually performing his duties at the station. The Department admitted that it was having difficulty in hiring a bilingual clerk for the job. Many months later, there was still no bilingual capability at the postal station.

*File Nos. 887, 1266—Precedence*

- A complainant from Quebec City sent the Commissioner examples of stamps and imprints used by the Department on envelopes and asked why priority was often accorded to the English language on many bilingual stamps and imprints used in the province of Quebec.

With regard to the question of which language should have precedence, the Department pointed out that because mail moves across provincial boundaries, it could not guarantee that all mail received in the province of Quebec would bear stamps and imprints that gave precedence to French. For example, a package on its way to Quebec might be damaged in Toronto and would bear a stamp on which English had priority. Nevertheless, the Department agreed to give all possible consideration to converting the stamps and imprints it used in the province of Quebec so that they, at least, would grant precedence to French.

The Commissioner concluded that there had been no infringement of the Act since the public had been served in both official languages. However, he believed that common sense and respect for the spirit of the Official Languages Act implied that the Department should be encouraged to convert its stamps and imprints to give precedence to French in Quebec.

- The Commissioner was sent a copy of an advertisement which the Department had placed in a French-language newspaper in the province of Quebec. The Department was duly identified in both official languages but the complainant said he objected to precedence being given to the English title: the words "Canada Post" appeared to the left of "Postes Canada".

The Commissioner told the Department that he was well aware of the efforts it was making to project a bilingual image. He believed, however, that it should modify its policy slightly so as to give precedence

to French in French-language newspaper and television publicity in Quebec. This the Department undertook to do. The Commissioner then asked the Department to build into its policies enough flexibility to allow precedence to be given to French in other places, such as parts of New Brunswick, where there was a high proportion of French-speaking citizens.

*File Nos. 938, 1496, 1531, 1565, 1685—Stamps*

- A complainant from Manitoba sent the Commissioner an envelope he had received from Quebec City. He said he objected to the use of a unilingual General Delivery stamp.

The Department admitted that the stamp constituted a contravention of the Official Languages Act and undertook to have it made bilingual.

The complainant also asked why priority was often accorded to the English language on many bilingual stamps used in the province of Quebec. This matter is dealt with in the summary of File No. 887 (see page 388).

- A complainant objected to the unilingual English stamp that the Special Delivery Service of the Department had used on a letter for delivery in Ottawa.

The Commissioner drew the stamp to the Department's attention and recommended that it be corrected. The Department explained that the stamp was used to remind its employees to avoid any delay in delivering this type of mail. The Department complied with the Commissioner's recommendation and ordered a bilingual stamp.

- A complainant sent the Commissioner a photocopy of the first page of a booklet about postage meters and drew his attention particularly to a stamp which was partially bilingual, but which lacked the French equivalent of the word "street". About two months later, the same person made another complaint, this time about a unilingual English stamp.

The Department told the Commissioner that it had already begun an inventory of all rubber stamps, tags, etc., that could cause complaints; the two stamps mentioned by the complainant would be added to the list. When the inventory was completed, the Department informed the Commissioner that it had found that out of a total of 981 rubber stamps, 475 were already bilingual and 101 were obsolete. Bilingual stamps had been ordered to replace the 405 that were unilingual.

- A French-speaker pointed out that on the postage stamp issued in commemoration of Mgr. François-Xavier de Montmorency-Laval de Montigny, the cedilla on "François" had been omitted.

The Department explained that it had always been careful to respect the correct usage of orthographical signs in its publications and especially in the printing of postage stamps.

The absence of the cedilla was an exceptional case, and was the result not of an oversight but rather of the smallness of the stamp.

The Commissioner was surprised, to say the least, to learn that there had been no room on the stamp in question for an innocent little cedilla. He felt that it did very little honour to the prelate to butcher his name on a stamp issued in his memory.

*File Nos. 1246, 1573, 1633, 1762, 1588—Vehicles*

• The Commissioner received complaints that the letters "OHMS" had been put on the windshields of a number of automobiles and panel trucks in the National Capital Region without their French equivalent (SSM). The vehicles were believed to belong to, or be used by, the Department.

The Department replied that the director of its Eastern Ontario Region (which includes most of the National Capital Region) had made inquiries and had not found any of the Department's vehicles marked "OHMS" without the French equivalent. However, further investigation revealed that the vehicles complained of belonged to private companies and individuals who delivered mail under contract with various government departments. When asked about it, one of the owners of the vehicles stated he had purchased the letters "OHMS" at a hardware store, without asking anyone's authorization, for the purpose of obtaining special parking privileges from the local police.

Since the complaints concerned private companies and individuals who are not covered by the Official Languages Act, the Commissioner was unable to make any formal recommendations to them. Nor, for that matter, could he make formal recommendations to the Post Office Department, because it did not employ them.

However, because the public invariably associates "OHMS" with the Post Office Department, the Commissioner suggested that the Department might consider printing a number of bilingual OHMS-SSM stickers which could be made available to private delivery companies.

The Department replied that the use of "OHMS" by private messenger firms is a device whose purpose is to mislead the public by implying official or semi-official status. If it carried out the Commissioner's suggestion, the Department would in effect appear to be sanctioning an illegal practice. The Department declared that it would take steps to stop the use of "OHMS" by private firms and was considering the possibility of legal action.



The Commissioner accepted the Department's position.

- A complainant reported that a vehicle belonging to the Department had a unilingual English notice on its windshield.

The notice was a temporary parking permit placed on the windshield for the information of the local police. The Department agreed to use a bilingual version of the notice in future.

#### *File No. 1003—Slogan*

An English-speaking complainant from Ottawa drew the Commissioner's attention to a slogan concerning retarded children, stamped on an envelope mailed in Halifax. The slogan was bilingual but the four French words contained two grammatical errors.

The Department explained that many organizations asked it to help them promote their cause and goods works. The organization itself prepared the wording, which the Department's Public Affairs Branch checked for grammatical errors. The Branch apologized for the mistake and said it was one of the very few errors that had occurred in recent years. It promised even closer scrutiny in future.

The Commissioner so informed the complainant.

#### *File No. 1082—Folders*

A French-speaking Montrealer complained of the numerous errors in the French version of the folder entitled *Modifications au tarif postal en vigueur le 1<sup>er</sup> juillet 1971* (Changes in the Postal Rate in Effect from 1 July 1971).

The Department informed the Commissioner that it had set up a team of revisers who were to be responsible for the quality of all its official printed matter. The folder, which had been published before this service was established, had since been completely revised.

#### *File No. 1512—Imprint*

A complainant from Ottawa received a letter from a private organization and noticed that the imprint the Department used on third class mail was not completely bilingual. There was a French equivalent for "Canada Post Office" and "Bulk Third Class" but not for "Ottawa Post Office", appearing at the bottom of the envelope.

The Department sent the Commissioner a copy of imprints which it made available to its customers for their mailing purposes. Each imprint is entirely bilingual. However, the permit number and name of the post office are printed by the customer, who also decides on the wording of the lower part of the imprint.

The Commissioner transmitted this information to the complainant, adding that he did not believe that the Department could oblige

private organizations, which are not subject to the Official Languages Act, to fill in the lower portion of these imprints in both English and French.

#### *File No. 1731—Calendar*

A complainant pointed out to the Commissioner that a 1973 calendar which the Department published and distributed free of charge to the public omits "la Saint-Jean", French Canada's holiday, from its list of Canadian holidays.

The Department explained that the calendar did not include all Canadian holidays and celebrations, but only those such as Christmas, Easter, Mother's day and Father's day which tend to increase the volume of mail. Other holidays such as the Queen's birthday, Ontario's provincial holiday in August and "la Saint-Jean" had been omitted.

The Commissioner found the Department's explanation to be reasonable. However, in view of the historical and cultural importance of "la Saint-Jean", he suggested that it be included in the next edition along with other such holidays which had little effect on the volume of mail. This would prevent any possible misunderstanding concerning the Department's attitude towards French-Canadians and it would make the calendar even more useful.

The Department thanked the Commissioner for his suggestion and said that it would take it into consideration along with other suggestions it had received, should it decide to publish a calendar for 1974.

### PRIVY COUNCIL OFFICE

#### *COMPLAINT*

##### *File No. 446—Cabinet Documents*

A French-speaking public servant complained that the Privy Council Office did not distribute reports of Cabinet decisions to his Department in both official languages.

The Office informed the Commissioner that Cabinet documents were confidential and were distributed solely for the use of the government, which retains ownership of them. It added that the provisions of the Official Languages Act regarding services to the public could not be applied since the public did not have access to these documents. However, it maintained that their distribution to senior officials was in accordance with the Act.

The Office pointed out that in February 1970 the Cabinet had studied various methods of ensuring the application of the Official Languages Act as regards its documents. At the same time, the Cabinet had had to consider the problem posed by the increasing volume of business submitted to it. The Office pointed out that during the 12 months from 1 July 1969 to 30 June 1970 more than 1,300 documents, ranging in length from two or three pages to more than 100 pages with the average being about 10 pages, had occupied its attention. The agenda for 78 Cabinet and 310 Cabinet committee meetings had to be written up, as well as the minutes and corresponding reports. These meetings resulted in several hundred decisions, often very complex and detailed, which had to be communicated quickly.

In the light of these considerations, the Cabinet had concluded that it was neither realistic nor desirable to require that its documents be written in both official languages or to have the Office translate the Cabinet's conclusions before they were presented as recorded decisions. In this the Cabinet was motivated by the need for prompt action and the desire to ensure accuracy and eliminate any risk of ambiguity.

The Office also pointed out that after careful consideration the Cabinet had decided that the ministers would submit documents in either language or in both, as they wished. For documents submitted in both languages, it would be up to the minister to specify which of the two versions would constitute the original for recording in the agenda and in the writing of the report. Questions on the agenda of meetings of a Cabinet committee or of the Cabinet itself would be recorded in the language of the document or of the original. No translation would be made in the Office of the document itself or of the agenda. As for the minutes of the Cabinet committee meetings, it was decided that they would be drawn up in the language that predominated during the discussion of each subject. According to the Office, the minutes of all meetings could include passages in both official languages.

The question of what language to use for recording a decision was a problem. Indeed, a document could be written in one language and the discussion relating to it be mainly in the other language. In what language would the decision be recorded? For the sake of accuracy, the best solution would be to record the decision in the same language as the document. Experience had confirmed that this was the right course. Once drawn up, the decision was forwarded in its original language to the ministers and officials responsible for taking the action it called for. The Office added that it had more than once refused to provide a translation of records of decisions written in French. It considered that the departments should equip themselves to under-



stand and apply the decisions, regardless of the language in which they arrive.

It was the Office's opinion that the equal status of both official languages was scrupulously observed as far as writing and distribution of Cabinet documents was concerned. However, it pointed out that this did not mean that there was in fact equal use of both languages. The number of documents submitted in English was always greater than the number in French, and this resulted in more records of decisions being written in English. Nevertheless, the Office considered that the situation had improved since February 1970. The Cabinet had recognized then that it would take a while for French to be more widely used in documents and in debates, and it proposed to review this matter periodically. The Office realized that the situation was not yet satisfactory but it hoped that within a year or two there would be more frequent use of French in Cabinet documents and, consequently, in records of decisions.

Although the Office's principles regarding the language of Cabinet documents seemed to comply with the Official Languages Act, the Commissioner pointed out that further improvement was needed to attain equality in actual use of both languages.

Consequently, considering the difficulties that had been pointed out and the fact that the situation was gradually improving, the Commissioner recommended that, whenever possible, documents for the Cabinet, Cabinet decisions and documents issued by the Cabinet should be provided or recorded in both official languages.

At the end of September 1973, the Office informed the Commissioner that it had succeeded in making considerable progress in meeting the first part of the recommendation, regarding documents for Cabinet use. It pointed out that ministers were increasingly presenting their documents to the Cabinet in both official languages, specifying which version was to be regarded as the "original" for the purposes of committee reports and Cabinet decisions. Moreover, the ministers had been asked to present the titles of their documents in both languages. This had enabled the Office to present the agenda of all committee and Cabinet meetings in a bilingual form. The Office added that it had requested the ministers to provide the summary and the recommendations of documents intended for the Cabinet in both languages whenever possible. As a result, ministers and senior officials could to a greater and greater extent receive working papers for the Cabinet and its committees in the official language of their choice. The Office hoped that this would make possible an increase in the use of French.

The Office pointed out that the second part of the recommendation, regarding Cabinet decisions and documents put out by the Cabinet, posed an especially difficult problem. According to the Office, it was a

question of balancing what was obviously desirable with what was possible. It said that it was giving serious attention to the possibility of making some important changes and would keep the Commissioner informed.

## PUBLIC SERVICE COMMISSION—"A Man for All Seasons"

### EVALUATION

*The Commissioner's encounters with the PSC's Chairman and his colleagues rest on a trust never lacking cordiality. Relations are, however, sometimes stimulatingly stressful—a result perhaps even to be wished, for the spiritual freedom of each. Without the counsel and guidance of the war-wise Chairman, rampart skirmishes for the two official languages could have left still more scars on the Commissioner.*

*Although the Chairman and Commissioner sometimes agree to disagree, the PSC's response to complaints has been very constructive. Always maintaining its constitutional distance, the PSC has reacted positively to suggestions and comments the Commissioner has made on matters not strictly within the terms of the Official Languages Act but which may have some bearing on the public's attitudes to the official languages.*

Many of the 66 complaints against the Commission concerned matters more administrative than linguistic. Public servants, for instance, did not appreciate long delays in receiving results of language tests, or complained that they had been denied access to language training—a denial often not due indeed to the PSC, but to departments.

A number of complainants protested that information on some competitions was only available in English. The Commission thereupon took two important steps to ensure that career opportunities in the Public Service became better known to the French-speaking public. It decided that all competition posters should be bilingual and, secondly, it greatly increased its advertising of job vacancies in weekly newspapers serving French-language minorities. The Commissioner hopes that all competitions will be advertised in such a way that both official language groups will automatically receive this information in the language they understand best.

The Commissioner suggested that a review process be initiated to reassess language test results where there were grounds for believing that they did not fairly reflect the candidate's linguistic ability. The Commission set up a review committee in September 1971 and it appears to be working well. In the fall of 1973, the Commissioner asked

for an additional review mechanism to be made available to public servants who had been withdrawn from language training on the grounds of some learning disability. This was provided early in 1974.

The relatively small number of professional training courses in French also caused concern. The situation appears to be improving slowly, but the Commissioner believes that this subject must continue to receive high priority, since it is fundamental to developing professional equality between the two official-language groups in the Public Service.

## *SPECIAL STUDY*

In March 1973, the Commissioner informed the Chairman of the Public Service Commission of his intention to make a study of that body. An investigation had been planned for some time but its inception was accelerated as a result of a complaint lodged by the Director and Editor-in-Chief of *Le Devoir*. The study, similar in approach to one already being made on the Treasury Board, was to differ from most other studies initiated by the Commissioner in that it would examine the role of the Public Service Commission in the implementation of the Official Languages Act within the areas of its jurisdiction. Accordingly, attention would not be focused on the Public Service Commission's own internal compliance with the Official Languages Act, except in so far as the latter might prove of importance to the primary goals of the study, but rather on what the Public Service Commission was doing to guarantee implementation of the Official Languages Act within bodies responsible to it.

The study had, however, to be delayed: in March 1973, it became clear that the effectiveness of any investigation would be seriously impaired by a reorganization, then already under way, of the Language Bureau and the Bureau of Staff Development and Training. As a result, it was mutually agreed to defer the study until later in the year. The study team began its work again at the beginning of October and by the middle of November had completed its initial exploratory interviews with top management and had begun to isolate those aspects of the Commission's work that were relevant to the study.

## *COMPLAINTS*

### *1. Linguistic Requirements*

*File Nos. 880, 1063, 1087, 1328, 1495—Positions*

- A bilingual English-speaking public servant in Ottawa believed that she had been discriminated against when she applied for a recep-



tionist position in the Department of Supply and Services. She claimed that she had not been hired because her surname was not French. She said that her son had had a similar experience when he applied for a position as a language teacher with the Commission. He had been excluded, she alleged, because he was not sufficiently familiar with the French culture.

After careful consideration of the circumstances surrounding the complainant's interview for the position, the Commissioner concluded that there was no contravention of the Official Languages Act.

The Commissioner suggested that the complainant inform the Commission of the facts of her case if she believed that she had been the victim of ethnic discrimination. Her son's case also appeared to involve ethnic or cultural factors rather than linguistic ones.

- A French-speaking person, who had entered four competitions for which no special language aptitude was required, reported that a representative of the Commission's Regional Office in Ottawa had given her to understand, during a telephone conversation, that she had no chance of being appointed to any of the positions because she was not bilingual.

Invited by the Commissioner to investigate this matter, the Commission could find nothing to support the complainant's claim. She had first entered four competitions and then temporarily withdrawn in order to bring her file up to date. A few weeks later, she had re-applied. In the meantime, an inventory search had made it possible to organize some interviews and to establish an eligibility list, from which the Commission had made some appointments. In addition, the complainant had indicated that she was seeking employment for an indeterminate period, while two of the competitions were for term employment. As for the other competitions, the candidate could not be considered because of her temporary withdrawal just when the selection board was organizing interviews. The complainant was informed by the staffing officer that her file would be examined as soon as a position for an indeterminate period fell vacant.

The complainant, who had expressed a wish to learn English, again applied for positions for which there would be openings in 1973. The Commission later received a request to fill a position likely to be of interest to the complainant. As she had all the essential qualifications and was then available, she was appointed and began work shortly afterwards.

- An English-speaking person from the province of Quebec wrote to the Commissioner about linguistic requirements for employment in the public service. She claimed that a promotion she deserved as a bilingual stenographer had been given to a person who only spoke French.

The Commissioner explained that the Official Languages Act was concerned with institutional bilingualism: it did not require each individual in a particular department, or particular section of a department, to be bilingual. It followed that competence in the two official languages was not necessarily needed for all positions at any level. He advised the complainant to discuss the linguistic requirements of the particular position she had in mind with the personnel officer of her Department.

- A French-speaking woman had applied for a position as a stenographer with four different government departments. She alleged that hiring practices varied according to the language spoken by unilingual applicants.

The Commissioner investigated each of these cases and brought each to the attention of the Commission.

The Commission carried out a thorough investigation and found no evidence of discrimination based upon the language spoken by applicants.

Neither did the Commissioner's own investigations reveal any discrimination of this kind. Problems had arisen in each case as a result of administrative errors and misunderstandings and had led the complainant to draw mistaken conclusions about hiring practices. The departments involved undertook to tighten up their procedures so that such misconceptions would be avoided in future.

- A unilingual English-speaking public servant, who had been secretary to a senior officer of the Public Service Commission and had been placed on several special training and development programmes with a view to furthering her career, wrote to the Public Service Alliance of Canada to state that she believed she had been shunted about in order that her former employer could obtain the services of a bilingual secretary. The complainant was then in a CR 4 position with a division of the Staffing Branch. She sent a copy of her letter to her Member of Parliament, who in turn sent a copy to the Commissioner, requesting that he investigate the circumstances.

Although there was no infraction of the Official Languages Act, the Commissioner unofficially referred the matter to the Chairman of the Public Service Commission, requesting that he review the complainant's situation. This was done and a number of alternatives offered to the secretary: 1) to return to her former position on condition that she be willing to take a French language course; 2) to remain in her present CR 4 position; 3) to remain in her present position with the option of taking the French language course; or 4) to obtain another post at the ST 6 level without taking a French language course. The complainant would not accept any of the proposals; she wanted only to return to her former position.

The Commissioner invited the complainant to a private meeting to discuss the whole question, with a view to reconciling certain discrepancies between her concept of the situation and the concept of the PSC, including that of her former employer. It was pointed out to the secretary that the personal relationship between her employer and herself might well be strained and perhaps untenable if he were obliged to take her back. She did not think so, stating they had always had a cordial relationship.

At a subsequent meeting between the Commissioner and the senior officer, who graciously came to see the Commissioner at the latter's request, the officer stated he had always acted in what he believed to be the best interests of the secretary and in accordance with what he believed she desired. He stated she was the best secretary he had ever had, but he was hesitant to take her back because of the interpretation he believed would be put upon the situation, namely that an error had been made and was being rectified.

Ultimately, it was decided the senior officer required the services of two secretaries, one who would handle the French-language work-load and the other, the complainant, who would handle the English-language work-load. The complainant accepted this offer.

#### *File No. 397—Selection Board*

A French-speaking public servant complained in the summer of 1971 about the composition of a selection board and the way a closed competition for a bilingual position in the Department of Manpower and Immigration had been conducted. He alleged that, contrary to the Public Service Commission's regulations, the board had not had a majority of bilingual members. In his view, only one member of the board was genuinely bilingual; the other two members had only a very superficial knowledge of French and had not been able to put a single question to him in that language. The examination of all the candidates had been entirely oral.

The Department rejected the complainant's allegation that two of the three members of the board had only a superficial knowledge of French.

The Commissioner then asked if he might see, in confidence, copies of the candidates' applications for the competition and the written reports which the selection board had made on each of them. The Department said it was unable to accede to the Commissioner's request because Section 25 of the Public Service Employment Regulations stipulated that names of candidates for a position, and any information and documents pertaining to them, may not be given to persons other than those directly involved in the selection process, without the candidates' consent.



The Commissioner therefore asked the Chairman of the Public Service Commission to send him information on the language of the competition and the candidates. The Chairman did so, but the details he sent did not, in the Commissioner's opinion, really come to grips with the complainant's contention that the board had not been properly constituted.

There followed a protracted exchange of views on what constituted, from the linguistic point of view, proper communication between a board and the candidates. During this period, the Public Service Commission modified its position and the changes were embodied in new circulars and amendments to regulations. These amendments stated that the majority of the members of a selection board should be sufficiently proficient in the English or French languages, or both, as the case might be, to communicate with the candidate in the language or languages selected by him.

Before the complainant could be advised of the above changes, he passed away.

## *2. Language Training*

*File Nos. 779, 881, 941, 1011, 1092, 1314, 1429, 1529, 1747*

• A French-speaking Nova Scotian raised several questions concerning:

- 1) the establishment in Halifax of a language school administered by the Commission's Language Bureau;
- 2) the limited co-operation between the Language Bureau and French-language institutions such as the University of Moncton and the Collège Sainte-Anne in Church Point, Nova Scotia; and
- 3) the strong Quebec bias of introductory courses on French culture.

Although none of these questions constituted a contravention of the Official Languages Act, the Commissioner asked the Commission to look into them. The investigation revealed that for almost five years the Language Bureau had been working in close co-operation with the University of Moncton to serve federal public servants in New Brunswick and Nova Scotia. In fact, under a contract with the University of Moncton, the Bureau was running a teaching centre consisting of three classes on the campus itself.

The decision to set up a teaching centre in Halifax was not intended to affect the service already existing in Moncton, but simply to

improve teaching conditions in the Atlantic provinces. As for the "Dialogue Canada" method, which had prompted criticism of the highly Quebec-oriented nature of introductory courses, the Bureau declared that the socio-cultural views it presented corresponded to the realities of French Canada.

- An English-speaking employee in the New Brunswick-Prince Edward Island District Office of the Post Office Department wrote to the Commissioner asking that French courses at the Memramcook Institute or at the University of Moncton be made available to him and his colleagues during working hours and at government expense. He stated that courses were only available outside office hours and that students had to pay 50 per cent of the cost.

The Commissioner replied that, although the Official Languages Act did not confer a right to second-language training, he believed that it should be offered, as far as possible, to everyone who wanted it and who was likely to need it in his career. He would therefore unofficially bring the matter to the attention of the Chairman of the Commission.

The Commission informed the Commissioner that it had since 1969 offered language training during working hours and at government expense through contractual arrangements with the University of Moncton. Each year, approximately a hundred public servants were nominated and took the course. The Language Bureau was to open a new school in Halifax in September 1972. This would provide nine weeks of intensive training, during working hours and at government expense, for up to 200 students a year.

The Commission said it had approved language courses offered by eight nearby institutions, including the one at Memramcook. Treasury Board policy allowed departments and agencies to reimburse up to 100 per cent of tuition and other direct expenses incurred in language training at approved institutions outside normal working hours. The Commission was planning an extension programme at a number of locations in the Maritimes which would meet the needs of some 1,000 language students a year.

The Commissioner forwarded this information to the complainant and enclosed a list of institutions in the Atlantic Region approved by the Commission for French instruction.

- An English-speaking public servant questioned the Language Bureau's assertion that an average student, starting with little or no knowledge of French, could become bilingual after 27 weeks of language training.

The Commissioner put the question to the Director-General of the Language Bureau and received the answer that, based on the experience

of the past two years, the Bureau concluded that an average student needed approximately thirty-two weeks of instruction to complete the third level. However, preliminary results from the new "Dialogue Canada" course suggested that a 27-week period might soon be sufficient.

The Commissioner passed on this information to the correspondent.

- An English-speaking administrative trainee, who had attended two series of French language courses, said that the Language Bureau had informed him that he was incapable of learning French by auditory methods. The Language Bureau implied that his hearing was defective.

The Commissioner arranged for him to take a hearing test, which revealed no significant impediment. He also took a "white noise" test administered by the Language Bureau.

Some months later the correspondent informed the Commissioner that he was receiving individual French language lessons, one hour each day, at work. He believed he was making good progress and expected to be able to return to the Language Bureau.

- An English-speaking public servant reported that the Language Bureau would not allow him to continue with French language courses, although his Department was prepared to allow him the necessary time off.

The Commissioner unofficially contacted the Department and was told that permission for the complainant to continue the course depended on the Language Bureau's evaluation of his progress, which had not yet been received. The report later showed that between 1966 and 1971 the complainant had had a total of 1,254 hours of French and that he simply could not master the language sufficiently to warrant further training. Neither the Language Bureau nor the Department questioned either his intelligence or his ability in other spheres, and both praised his persistence and motivation in wanting to pursue French language courses. However, they were fully agreed that additional training would not be fruitful, and the Language Bureau had no further courses of a specialized nature that it could offer the complainant.

The Commissioner advised the complainant that if he were denied a posting or promotion for linguistic reasons, he would be prepared to examine his case again.

- An English-speaking public servant told the Commissioner that although he had a good knowledge of the French language, he was not allowed to make use of monitors because he was not enrolled in a recognized course of French instruction.

The Commissioner replied that he had obtained a legal opinion on whether access to language training was a right under the Official



Languages Act. The enquiry had revealed that no government department or institution was explicitly required by the Act to provide second-language training. Accordingly, such training could not be considered a clear right under the statute. It followed, therefore, that access to a language retention programme did not come within the purview of the Act either.

However, the Commissioner, with the complainant's permission, referred the case unofficially to the Public Service Commission for its consideration.

- An English-speaking public servant who was sent to the Carson Road language school wrote to the Commissioner criticizing the school and its teaching methods.

Since this matter did not fall within the Commissioner's jurisdiction under the Official Languages Act, he forwarded the complaint, with the correspondent's authorization, to the Commission. Some time later, the Director-General of the Language School arranged for the complainant to be taught French by a method other than "Dialogue Canada" when next she came for language training, since that method obviously did not suit her.

- An English-speaking public servant complained that he had been withdrawn from the Carson Road language school, allegedly because he could not keep up with the class, was considered a problem student and had hearing difficulties. He denied all these allegations. He told the Commissioner that he did not want to go back to tape recordings and home study, but wanted to return to the Carson Road school.

The Language Bureau's Guidance Service had several interviews with the complainant in an effort to find a solution. Although highly motivated, he simply did not seem to have the knack of learning French. He was offered the Active French course on a home-study basis, which would have allowed him to progress at his own pace until he was able to be reintegrated into the Carson Road course. He was reluctant to accept this proposal and managed instead to get a language monitor to help him for two or three hours a week.

The Commissioner asked the Commission for details of the complainant's academic record. This information was confidential and could not be divulged without the individual's authorization. The complainant offered to send the Commissioner his own copy, but he never did.

- An English-speaking public servant complained that he was unable to obtain French language training at the Language Bureau. He said that he needed French for his present job and future career.

The Commissioner discussed the case informally with the complainant's Department and was told that because he had difficulty in

sound discrimination, it was questionable whether he would benefit greatly from any course based on audio-visual methods. In his work, moreover, he dealt mainly with written materials.

The Department told the Commissioner it would provide a monitor who would concentrate on helping him to handle practical problems and deal with French correspondence and documents.

### 3. *Language Test*

#### *File Nos. 1140, 1249*

- A public servant complained to the Commissioner in the summer of 1972 about delays in recording second-language test results in Data Stream files. He claimed that there were about twelve thousand files in which test scores had still to be entered and that some of them dated back to 1969.

The Commissioner said he shared the complainant's concern that records which might be used to identify bilingual candidates for competitions be kept up to date. He made inquiries to find out whether the situation was as the complainant described it.

The Commission assured the Commissioner that most language test results had been registered in the Data Stream files. There had, however, been some delays due to the computer's rejection of research data sheets that had not been properly filled out by the employee at the time of writing the Language Knowledge Examination; usually this meant contacting departments for the missing details. The Commission added that, except in cases mentioned above, results must now be registered in the Data Stream within three months of the test, a period which the Commission hoped to reduce to two weeks.

- A French-speaking public servant stated that his score on the "listening" sub-test of the examination F400A was substantially lower than his scores on other sub-tests. He was convinced that this score did not accurately reflect his comprehension of French, and, since it was vitally important for him to achieve as high a standard as possible, he asked the Commissioner to help him.

Because there was no contravention of the Official Languages Act, the Commissioner was unable to take official action. He did, however, refer the case to the Commission which, since September 1971, had had a review committee of three linguistic experts whose job was to interview public servants who believed that their second-language capabilities had not been assessed accurately.

The committee interviewed the complainant and agreed with him that the mark he obtained in "listening" did not properly reflect his ability to comprehend spoken French.

#### 4. *Language of Service*

*File Nos. 583, 584, 585, 588—Advertising*

A Franco-Manitoban complained that in the Winnipeg area the Public Service Commission advertised only in English-language daily newspapers. He sent the Commissioner a number of competition notices for positions in the public service that had appeared in the *Free Press* and the *Tribune* but not in any French-language newspaper.

The Commission explained that it had been its policy to advertise competitions in daily newspapers only. Because there were no French daily newspapers in many parts of the country, the Commission said it would use French weekly newspapers, as far as possible, in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, New Brunswick and Nova Scotia to advertise competitions for bilingual positions.

The Commissioner did not believe that this was completely satisfactory. He recommended that all job advertisements placed in the printed media should always appear in both English- and French-language newspapers (including weeklies when necessary) within the appropriate area, regardless of the linguistic requirements of the position advertised.

In subsequent discussions with the Commission, it was tentatively agreed that all newspaper announcements of competitions for positions requiring a knowledge of both official languages and those for which a knowledge of either English or French was sufficient should appear in bilingual format in both the English-language and French-language press. However, the Commission said it would like to study the suggested use of a bilingual format in relation to unilingual positions in the light of current practices. (The great majority of the positions advertised required the knowledge of one specified language.) The Commission's future stand would be based on the result of this research, which was expected to take about two months.

The Commission later informed the Commissioner that it would be very costly to produce advertisements in bilingual format and that the volume of these advertisements might change considerably once the identification of bilingual positions was completed in December 1973. It proposed, therefore, to let the matter rest and reopen discussions at that time.

*File Nos. 1007, 1039, 1054, 1076, 1161—Competition Posters*

The Commissioner received complaints that a number of competition posters advertising positions in the National Capital Region were only available in English.



When these complaints were made, in the first half of 1972, the Commission's Bulletin 1972-8 regulated the use of languages in competition posters. Following the Commissioner's intervention, this bulletin was amended by Bulletin 1972-22. The Commissioner, however, felt that the new regulation did not go far enough: it only obliged departments to produce posters in both official languages for positions which required one language when the position was in the National Capital Region or a bilingual district.

The Commissioner discussed the matter with the Commission and it was agreed that bilingual posters would be produced for positions which required one language, no matter in what part of the country the position happened to be.

#### *File No. 749—Written Communication*

A unilingual English-speaking public servant, whose job was to co-ordinate arrangements for French- and English-language training between the Commission's Language Bureau and departmental personnel, told the Commissioner that she objected to receiving all written communication from the Bureau in French. She complained that it was becoming impossible for her to do her job, and that she had been told her duties would have to be transferred to a person who spoke French.

After an investigation involving discussions with officials of the Language Bureau, the Commissioner informed the correspondent that, because the Bureau had been declared a French-language unit, administrative information it sent to departments and institutions of the government had only to be provided in French.

The Commissioner asked her permission to refer the case unofficially to the deputy minister of her Department, requesting that she be given an opportunity to enrol for French language courses. She did not, however, pursue the matter.

#### *File No. 1134—Courses in French*

The complainant accused the Bureau of Staff Development and Training of not offering French-speaking employees enough courses in French.

The Commissioner investigated the complaint, bearing in mind that the Bureau's main role was one of service. In a report to the complainant, he noted that the Bureau's activities were largely determined by external factors, since departments and the Treasury Board's Personnel Policy Branch identified training needs. Although the Bureau could take the initiative in offering courses, it could not foresee the number of enrolments, which depended entirely on departments. It operated on a cost recovery basis and so had to try to

make maximum use of its resources. The Bureau had for some time been preparing its new course models simultaneously in both official languages and intended to offer approximately 35 per cent of its 70 to 75 models in French in the 1972-73 financial year. However, the number of times each model was offered depended on departmental requirements and the number of employees in each language group.

The Commissioner felt that the Bureau recognized its responsibility regarding the training of French-speaking staff and was trying as much as possible to comply with the Official Languages Act. However, he found that departments were not making enough effort to inform their employees of the existence of the courses it offered. He added that he was fully aware of the need to support and defend the right of employees to work, and to avail themselves of training services, in the official language of their choice.

#### *File No. 1537—Promotional Board Report*

A French-speaking administrative trainee at Environment Canada told the Commissioner that although she had had an interview in French, she was given her promotional board report in English. She said she wanted a copy of the report in French.

The Commission explained that the report was essentially an internal document that was prepared after an interview concerning promotion. It emphasized that it was within the Department's discretion whether to give the report to the interviewee or not; in the complainant's case, it had decided to do so. In the light of the circumstances, the Commission asked the Department to give the complainant the translation of the report which it had prepared.

The Commissioner told the Commission that he appreciated that it might be discretionary whether the report was given to an interviewee, but that if interviewees were given their reports, these should be in their own official language. He therefore recommended that the Commission take action to ensure that interviewees be given board reports in their own language.

As a result of this case, when administrative trainees are given their board reports, these are now in the official language of their choice.

#### *File No. 1621—Publications*

An English-speaking public servant complained that some of the photo captions in the Commission's publication *Interaction*, published by the Office of Equal Opportunities for Women, were in English only.

The Commission said this was due to an oversight and informed the Commissioner that the mistake would not be repeated.

#### *File No. 1694—Receptionist*

The Commissioner was told that the receptionist at the Ottawa Linguistic Centre of the Language Bureau identified the Bureau in French only.

The Commission was informed of the situation and took steps to ensure that the Bureau would always be identified in both French and English.

### PUBLIC WORKS—"The Asphalt Jungle"

#### EVALUATION

*This Department's approach to settling complaints has been generally solicitous. It has implemented some recommendations the Commissioner made after two special studies, but in its efforts to implement the rest, the Department has not been able to cut through its own and others' red tape and has resigned itself so far to following traditional rather than innovative ways to help departments and agencies render bilingual such visual objects as signs, directory boards and plaques. The Department deserves credit for breaking new ground in November 1973 by publishing for its support staff a thoughtful and highly utilitarian "Course in Administrative Writing" for employees working in French.*

The Commissioner's office undertook two special studies on signs, one in the National Capital Region and the other in Winnipeg.

In August 1973, the Department of Public Works adopted a provisional policy regarding signage including commemorative plaques, written signs and construction site signs. The principles outlined, if followed properly, will result in changes in this area. The policy has been initiated, but no target dates have been set. The Department also plans to set up a comprehensive programme to introduce bilingual signs systematically across Canada.

It should be noted, however, that according to the policy mentioned, French will be given precedence only in the province of Quebec, whereas Recommendation (d) of the Commissioner's *Second Annual Report*<sup>1</sup> concerning the National Capital Region allowed greater flexibility by suggesting that French be used in communities outside Quebec where the majority of the population is French-speaking.

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1. Page 84.



The measures to be taken regarding interior signs, for which responsibility belongs to other federal institutions, are not covered by the policy paper. The Department of Public Works does not wish to interfere with their internal administration. It has agreed, however, to remind them of the aims of the Official Languages Act and of the best ways of attaining them.

Although the Department has postponed the deadline of 30 September 1972 for the National Capital Region, it has said nonetheless that it will implement the recommendation concerning all external signs by the summer of 1974; ninety-five per cent of the work was to have been completed by 30 November 1973. As for the recommendation requiring that the errors in signs be corrected by 30 June 1972, the Department said that it was correcting them as they were detected. The recommendation concerning the lettering on rented buildings will be applied gradually and fully implemented by 1975-76. In the case of Recommendation 4, which advocates giving precedence to French in the Hull region, the Department intends to follow its above-mentioned policy, and has informed the Commissioner that the sign on the Fontaine Building, which gave English precedence, has been changed.

The Department said that it would implement the 13 recommendations relating to signs in Greater Winnipeg and respect the target date set for most of them—September 1974. It also said that it had implemented Recommendation 12, concerning the revision and correction of the French on signs and lettering in the region. Recommendation 11, concerning signs prepared and erected by contractors, was still under study in the fall of 1973.

A total of 17 complaints against this Department were received by the Commissioner from 1 April 1970 to 31 March 1973. The investigation of one complaint revealed that there had been no infraction of the Official Languages Act, and two other files were closed because the complainants failed to provide essential information.

Two of the complaints concerned language of work, and for these the Commissioner made four recommendations, three of which the Department agreed to implement. The implementation of the fourth recommendation was not required (see summary of File No. 762).

The rest of the complaints (12) concerned advertising in newspapers, competitions, signs and plaques, and some printed materials. The Department was able to settle these promptly.

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2. See *Second Annual Report (1971-72)*, p. 85.

## COMPLAINTS

*File Nos. 1045, 1160, 1338, 1498, 1640, 1707—Unilingual Signs*

- A French-speaking person pointed out that the following unilingual English sign had been posted in Fredericton: "Alterations to Federal Building—Department of Public Works, J. E. Dube, Minister".

The Department informed the Commissioner that there had been an error on its part and that the offending sign had been removed. Staff in the area were reminded of the provisions of the Official Languages Act and of the Department's policy regarding signs.

- A French-speaker drew the Commissioner's attention to an article which had appeared in a French-language newspaper concerning the quality of the French on a sign which had been placed on the door of an out-of-service elevator in the Parliament Buildings.

The sign in question had been put up by a private company which was doing the repairs. Although this question did not, strictly speaking, come under the direct jurisdiction of a federal institution, a departmental employee prepared a grammatically correct translation and requested that the company make the necessary changes. Unfortunately, however, the printer added a few errors of his own, which then had to be corrected with a paintbrush.

- A French-speaking person from Ottawa pointed out that some of the signs and notices in the Hunter Building, which is occupied by the departments of National Defence, and Manpower and Immigration, were in English only.

The Department took the necessary steps to correct all the unilingual signs mentioned by the complainant.

- The complainant drew the Commissioner's attention to the unilingual English signs at the entrance to the building occupied by the War Museum.

The Department informed the Commissioner that it intended to install plaques and engrave inscriptions in French corresponding to the English ones.

- A French-speaking person noticed that in one of the elevators in one of the buildings occupied by the Department of the Secretary of State in Ottawa, the "No Smoking" sign and button markings were in English only.

At the Commissioner's request, the Department agreed to put up a bilingual sign and have the button markings changed. The Department added that it was already gradually changing such signs in order to comply with the Act.

- A member of a French-language cultural organization complained that exterior signs on the post offices in Porcupine and Schumacher (Ontario) were in English only.

The Department told the Commissioner that it had installed bilingual signs at these post offices and that within a few weeks it would also erect a bilingual sign on the federal building at South Porcupine.

*File Nos. 762, 1349—Competitions*

- A complainant alleged that a unilingual English-speaking Master was being appointed to Dredge No. 23, although, he stated, 97 per cent of the population of the coastal area of New Brunswick between Cape Tormentine and Campbellton served by the dredge was French-speaking and five of the seven crew members had French as their mother tongue.

The Department explained that the dredge-master had no contact with the public in carrying out his assignments. It also maintained that his being a unilingual English-speaker did not in any way lessen the effectiveness of the supervision, since four members of the crew whose mother tongue was French were bilingual. Consequently, the Department had confirmed the appointment of the Master after consultation with the Public Service Commission.

However, because the majority of the population served by Dredge No. 23 and most of the members of the crew were French-speaking, the Commissioner recommended that the Department issue the necessary directives to ensure that:

- 1) the public of the coastal area receive service in the official language of its choice;
- 2) the French-speaking crew members receive personnel services in their own language; and
- 3) the incumbent Master be given French courses as soon as possible.

The Department agreed to implement the second and third recommendations but reiterated that the dredge-master had no need to have contact with the general public when carrying out dredging assignments.

- A French-speaking complainant with limited knowledge of English who had applied for a job as a stenographer with the Department reported that she was told she was not eligible for the position because a knowledge of English was required. She believed that these positions should be open not only to bilingual applicants and unilingual English-speakers, but also the unilingual French-speaking candidates.

The Department told the Commissioner that it was difficult to determine what had actually happened, but that in any event the



complainant should not have been told that she had to have a good knowledge of English in order to apply for the position. Although openings in the Department for unilingual French-speakers were more limited in number, each job application ought to be fully explored and the complainant should have been interviewed. The Department therefore reminded its National Capital Region office that it must ensure that all employees who have contact with the public are fully briefed on the procedures for interviewing all applicants seeking employment, regardless of their mother tongue.

*File No. 517—Advertising*

A French-speaking complainant from Winnipeg stated that it was essential to read the English-language newspapers in that city if one wanted to obtain general information about government services and news of competitions for jobs in the public service or to see tender announcements by federal government agencies.

The Public Service Commission and federal government departments dealing with the general public agreed to make greater use of local French-language weekly newspapers for advertising and publicity in areas such as Winnipeg where there were no local French daily newspapers.

Because publishing notices was just one element in the process of obtaining goods and services by tender, the Commissioner decided that the whole process should be examined in depth as part of a study of the Department, which the Special Studies Service planned to undertake early in 1973-74.

*File No. 572—Internal Communication*

A French-speaking worker at the Central Heating Plant on Cliff Street, in Ottawa, complained that administrative notices and directives were given to the personnel in English only.

The Department informed the Commissioner that all directives relating to personnel matters and bulletins intended for general circulation in the National Capital Region were, and had been for quite some time, in bilingual format. Some display posters dealing with occupational safety were available only in English but the Department had already taken steps to obtain similar bulletins in French and these would be prominently displayed. Admittedly, some notice-board did not have fully bilingual headings but this was being corrected. Planned safety talks and films would include presentations in French.

The Chief Operating Engineer was fully bilingual and could deal with problems of plant management in either official language.

The Department admitted, however, that operating manuals consisting of (a) departmental directives and (b) manufacturers' blueprints and operating instructions were in English only.

The Department agreed to follow the Commissioner's recommendation that all instructions initiated within the National Capital Region be prepared in both official languages. It added that the translation of technical manuals and manufacturers' instructions posed a more difficult problem but that it would consult with the Translation Bureau on ways and means of producing translations of the essential material.

## REGIONAL ECONOMIC EXPANSION—"North by Northwest"

### EVALUATION

*Since 1970 the Commissioner has received ten complaints against the Department; only one called for a recommendation. After investigation, most of the others were found to be not justified. The Department co-operated well with the Commissioner's Office in the investigations and settled complaints within a reasonable time.*

This Department was unable to reply to the Commissioner's questionnaire due to a "large-scale re-organization" of its operations. The Commissioner was given assurance, however, that it will continue to observe "in every way possible" the Official Languages Act.

### COMPLAINTS

#### *File No. 515—Advertising*

The complainant notified the Commissioner that departmental calls for tenders appeared only in Winnipeg's English-language dailies. Since there are no French-language dailies in several areas of Canada, he suggested that federal institutions use French-language weeklies for advertising.

The Department told the Commissioner that in the area concerned there were no contractors whose working language was French and who had expressed a wish to communicate in French. It added that if it published its calls for tenders in French-language weeklies, plans and specifications would also have to be in French. This would create difficulties at the professional level and would involve expenses out of proportion to actual needs.

The Commissioner recommended to the Department that it use French-language weeklies in areas where there were no French-language dailies for its advertising other than calls for tenders.

#### *File No. 764—NewStart*

French-speaking people in New Brunswick were amazed that in the largely French-speaking Richibouctou region, three of the four *NewStart*\* employees assigned to serve the public were English-speaking. They admitted that at least two of them were perfectly bilingual, but found it hard to understand why so few Acadians, who know the people and the area, were members of the management team. They added that most of the forms and reports were in English only.

After speaking with those in charge, the Commissioner concluded that the *NewStart* corporation was in general complying with the Official Languages Act. Forty-nine of the fifty-five full-time employees of this bilingual organization spoke French. There were only three unilingual English-speaking employees, and supervisory staff were all bilingual to some extent. In addition, the corporation encouraged its employees to communicate amongst themselves in the language of their choice, and memoranda and reports were prepared in the language preferred by the author.

*NewStart's* Director-General told the Commissioner that internal forms were available in both official languages. As a general rule, authors of reports that were submitted to Ottawa and elsewhere could draft them in the language of their choice, except where the recipient was unilingual, in which case the language of the latter was used. The Director-General added that the funds available to *NewStart* did not permit it to publish all its reports in both official languages and he said that, where necessary, the recipient had to make the translation. The Commissioner noted that the 1971-72 annual report contained chapters written in both French and English.

As for the ethnic composition of the corporation's staff, the Commissioner informed the complainants that this matter did not come under the Official Languages Act.

#### *File No. 1120—Stamp*

The complainant received documentation from the Department in an envelope marked "First Class" only.

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\**NewStart*, an organization incorporated under New Brunswick legislation, was established following an agreement between the Department of Regional Economic Expansion and the New Brunswick Department of Education. Its purpose is to conduct research in order to find solutions to the problems of poverty.



The Department informed the Commissioner that the necessary measures had been taken to obtain bilingual stamps as soon as possible.

*File No. 1347—Unilingual Positions*

A French-speaking woman with a limited knowledge of English, who had applied for a job as a stenographer with the Department, claimed that she was told that unilingual positions were open to English-speaking candidates only. According to a departmental information sheet, there were openings at the time for both bilingual and unilingual stenographers. The complainant believed that, in turning her down for a job which she might have obtained had she been English-speaking, the Department had treated her unfairly.

The Commissioner's investigation revealed that, at the time the complainant applied for a job, only unilingual English and bilingual positions were available, all positions for which unilingual French-speaking candidates were eligible having been filled. The Department suggested that, because no positions requiring only a knowledge of French were available at the time, the complainant may have concluded that only English-speaking persons could be hired for unilingual positions. It assured the Commissioner that this was not the case and admitted that the information sheet in question was somewhat misleading because it had not made clear that the only unilingual positions available at that time required English. The Department promised to amend the sheet to make the situation clear.

*File No. 1436—Memorandum*

A French-Canadian association complained that it had received material accompanied by a memorandum in English from the Department.

Following the Commissioner's investigation, the Department apologized to the association and reminded its division heads to take all necessary steps to comply with the Official Languages Act.

ROYAL CANADIAN MINT

COMPLAINTS

*File No. 1519—Identification*

A French-speaking correspondent complained he received a package on which the name of the agency appeared several times in English only.

The Mint pointed out to the Commissioner that specific directives had been given that all unilingual forms were to be replaced by bilingual ones at the time of reprinting, or sooner, if at all possible. As for the gummed paper tape which was the subject of the complaint, the stock would be used up towards the end of March 1973. The Commissioner was assured that the new gummed paper tape bearing the agency's name in both official languages would be used after that.

#### *File No. 1650—Correspondence*

A French-speaking complainant who applied for a position with the Mint received a reply in English although her letter of application had been in French.

The Mint told the Commissioner that its policy was to answer letters in the language of the correspondent. Because an unusually large number of applications were received in this competition, it was decided to use a form letter to reply to those who had not qualified. The form letter was in English since 90 per cent of the applications received had been in that language. Unfortunately, this form letter, rather than a letter in French, was sent to the complainant in error.

The Commissioner passed on to the complainant the Mint's explanation with its apologies.

## SCIENCE COUNCIL OF CANADA

### COMPLAINTS

#### *File Nos. 1504, 1552, 1560, 1713—Publications*

Four French-speakers criticized the Council for publishing only in English two studies aimed at the general public. Three of the complaints dealt with Study No. 23, *Innovation and the Structure of Canadian Industry*, and the fourth with Study No. 24, *Air Quality: Local, Regional and Global Aspects*. These four complaints were the subject of a single investigation.

The Council first explained to the Commissioner its policy on the publication of its documents in both official languages. It published three kinds of documents:

- 1) An *Annual Report*, which is submitted to the House of Commons in accordance with the Science Council of Canada Act. All of the Council's annual reports are published simultaneously in French and English.

2) *Reports of the Science Council of Canada*, which contain the Council's official recommendations. Since 1 April 1969, 14 of them (Nos. 5-18) have been published in both languages at the same time.

3) *Special Studies*, which are in-depth studies submitted by the authors to the Council. Since 1 April 1969, it has published 19 of them (Nos. 6-24), nearly all simultaneously in both languages: only Nos. 23 and 24 were in English only.

Thus the Council published an average of nine reports per year: one annual report, three Science Council reports and five special studies.

In the matter of language of publication, the Council of course followed the Official Languages Act. During the summer of 1970, the Council had sought the opinion of the Department of Justice, which informed it that the annual report had to be published in both languages, but not other Council publications.

In spite of this opinion, the Council decided to spare no effort to comply with the spirit as well as the letter of the law. This explained the long list of studies which it had published simultaneously in both languages. It intended to continue issuing simultaneously both versions of its annual report and Science Council reports. As for special studies, they would appear in both languages, but on different dates.

Finally, the Council's difficulty in guaranteeing the simultaneous appearance of special studies in both official languages was due to a shortage of translation services. In fact, the Council had only two translators available to handle all its translations.

First, the Commissioner expressed his disagreement with the interpretation of the Department of Justice. While agreeing that the Council's annual report had to be published in both official languages, the Commissioner refused to make a distinction between this report and other Council publications. The Act is concerned not with the content of a publication but with its distribution. Whether or not a document should be published in both official languages would therefore depend on the nature of the public for which it was intended.

The Commissioner concluded that the Council's intention to continue publishing its annual report and Science Council reports simultaneously in English and French was in accordance with the Act. The Council should, however, follow the same policy for special studies since they were intended for the French-speaking as well as the English-speaking public.

Noting that documents were usually published in English first, the Commissioner suggested that the Council encourage French-speaking scientists to write their texts in French in order to hold the scales even and publish some studies first in French, if it was impossible to publish both versions at the same time. As for translation difficulties, the Com-



missioner was of the opinion that the Translation Bureau would no doubt be able to improve the situation.

In order to help the Council prepare the French version of its publications, the Translation Bureau made available a "module" of three translators who give priority to Council translations.

The Commissioner hopes that this measure will make it possible, if not to guarantee the publication of all documents simultaneously in both official languages (Council officials have expressed doubts about this), at least to improve the quality of translation and to help reduce the time lag between the appearance of the English and French texts.

In the investigation of this complaint, the Council expressed concern about the lack of qualified translators and interpreters in scientific and technical fields and suggested that it would be advisable for the appropriate federal services to study the matter in order to determine how to improve the situation. The Commissioner then invited the Superintendent of the Translation Bureau to his Office to discuss this matter with the Director of the Science Council. This first meeting revealed that scientific translation in Canada suffered from a lack of competent translators and of co-ordination in terminology. The difficulties experienced by the Council in this regard were common to most government agencies.

The Translation Bureau therefore met with representatives of the main departments concerned in order to ascertain their scientific and technical translation needs and to seek solutions to these specific problems. It soon became apparent that there were pressing needs. However, they would be defined more scientifically on the basis of a survey conducted among the departments by the Translation Bureau, which was moreover prepared to launch a new specialist recruiting campaign. The Bureau and the Council were also to meet with representatives of the Université de Montréal to develop a translator training programme that would attract graduates of various disciplines.

It was also deemed urgent that the various existing terminology services be improved and co-ordinated. The Translation Bureau would endeavour to play its role fully in this area, on the understanding that, in the meantime, the departments concerned would have access to all the reference material and services of the Bureau's Terminology Centre.

Early in December 1973, the Translation Bureau brought the following facts to the attention of the Commissioner:

A training programme for scientific translators has been set up at the Université de Montréal with the co-operation of the Translation Bureau. The federal government is awarding grants to students with a bachelor's degree in biology, chemistry, engineering, mathematics or physics, so that they can work towards a master's degree in translation. In return, once the grant-aided students have completed their postgraduate work, they are required

to join the Translation Bureau for a period at least equal to the number of years they received grants. There will be compulsory training periods in the Translation Bureau.

## SECRETARY OF STATE—"Three Coins in the Fountain"

### EVALUATION

*In the last three years the Commissioner has received forty-one complaints concerning this department. Of these, thirty-one showed violations of the Official Languages Act and received the Department's prompt and careful attention.*

*The recurrence of complaints of the same nature, however, indicates that the Department has not always succeeded in motivating its employees sufficiently to reduce administrative errors and hence guarantee service to the public in the official language of its choice. Neither has the Department apparently been able, without the Commissioner's intervention following complaints, to place in regional offices a sufficient number of bilingual staff to meet the public's needs, especially in implementing the Opportunities for Youth programme.*

The services provided to the public during implementation of the Opportunities for Youth programme gave rise to ten complaints. While six of these concerned the Atlantic provinces, two came from Winnipeg and two from St. Catharines, Ontario. In general, they dealt with the lack of adequate services in French. Following the Commissioner's intervention, the Department decided to improve the situation by recruiting bilingual project officers.

The other complaints dealt with general services to the public both in Ottawa and in the regions. In each case the Department said that there had been an administrative error which in no way reflected its bilingualism policy. It apologized to the complainants and assured the Commissioner that it was doing everything possible to avoid a recurrence of such incidents.

### COMPLAINTS

#### 1. Opportunities for Youth

*File Nos. 794, 1104—Prince Edward Island*

- A complainant claimed the Opportunities for Youth co-ordinator for Prince Edward Island was a unilingual English-speaker. He pointed

out that, according to the forms printed in French, French-speaking people were requested to discuss their projects with the co-ordinator and obtain his approval. As the co-ordinator did not understand French, he agreed to the projects without having read them.

In a letter to the Commissioner, the Department maintained that although the project officer for Prince Edward Island was English-speaking, he understood enough French to be able to provide French-speaking participants in the province with the services necessary for the success of their projects. It added that the Nova Scotia project officer, who was French-speaking, paid particular attention to the projects of French-speaking people from Prince Edward Island.

Since the Department's version differed considerably from that of the complainant, the Commissioner asked the complainant to comment further. He did not reply.

- A French-speaking resident of Prince Edward Island sent the Commissioner a copy of a letter in English that had been signed by the Secretary of State and was addressed to the person in charge of a project submitted by French-speaking people. The complainant also sent a copy of the agreement on which he had circled the numerous errors which he supposed had been made when Opportunities for Youth transcribed a passage from the original text.

The Department pointed out that more than 19,000 projects had been submitted to Opportunities for Youth 1972 and that more than 16,000 letters of rejection had had to be sent out in a period of three weeks.

The Department informed the Commissioner that in order to prevent similar mistakes from recurring, Opportunities for Youth had set up an information service staffed by officers who were specially trained in letter-writing in both French and English.

#### *File Nos. 827, 845—Nova Scotia*

Two French-speakers told the Commissioner of their doubts whether projects submitted by French-speaking people from Nova Scotia were receiving a fair appraisal. According to the complainants, the Atlantic sector had nine representatives, including one bilingual French-speaker and one bilingual English-speaker, and the four project appraisers were unilingual English-speakers. Moreover, in Acadian schools, promotional information on the programmes had apparently been provided by unilingual English-speaking representatives, who at the meetings replied only in English to questions asked in French. The complainants wondered how many projects submitted by French-speaking groups would reach the headquarters and how the equality of the two official languages would be respected.



The Department informed the Commissioner that it had appointed a French-speaker in Nova Scotia to facilitate communications with the groups in question and to improve the quality of services provided in French. He also pointed out that the 25 projects submitted by French-speakers in the Atlantic sector had been evaluated impartially by the two bilingual officers already assigned to analysing projects.

The Commissioner passed on to the complainants the information obtained from the Department.

*File Nos. 1103, 1748—Ontario*

A French-speaking group from Camp Rapprochement in St. Catharines complained in June 1972 that they did not receive services in French from the officials responsible for the Opportunities for Youth programme. Their project officer was unilingual English-speaking and all briefings were conducted in English.

Another complainant later alleged that he had been unable to get French application forms for the programme from the Manpower Centres in Welland and St. Catharines when he visited them for that purpose in January 1973. However, he had received the forms a week later by mail.

The Department informed the Commissioner that it had appointed a bilingual project officer in September 1972 to serve the St. Catharines region and had sent an information booklet in French to the group of young people. It planned to recruit in 1973 at least one liaison officer capable of expressing himself in French, in order to ensure service in that language to the French-speaking population of south-eastern Ontario. The Department admitted that the Welland and St. Catharines Manpower Centres had no French application forms in January 1973. This had been due to an error in distribution that had been promptly corrected by the Department of Manpower and Immigration.

*File No. 1012—Manitoba*

A French-speaking person from St. Boniface submitted a project in French to Opportunities for Youth and it was accepted. When he telephoned the Winnipeg office for further information, he was unable to obtain service in French. He also said that the project officer for the Summer 1972 programme was not able to speak French.

The Department replied that a bilingual project officer was assigned to the Winnipeg office. However, as he had to meet with different groups in order to evaluate the work they had done, he was often away from the office. This had no doubt been the case when the complainant made his telephone call.

The complainant subsequently informed the Commissioner that he had had to go to Winnipeg to give explanations in English about the project he had written up in French. Also, he had been obliged to speak English each time he telephoned the Winnipeg office, since none of the administrative support staff or of the project officers was able to answer him in French, even after he had made several requests.

The Commissioner asked the Department for full particulars of its staff's composition and ability to speak French. The Department replied that in 1972 only five of the projects under way in the Winnipeg area had been submitted by French-speakers. In the circumstances, it had considered that a single project officer capable of speaking French would be sufficient. According to the complainant, this solution was inadequate. As Opportunities for Youth was a seasonal programme and its support staff changed every year, the Department promised to take this into account when recruiting for the 1973 programme.

In order to ensure that services complied with the requirements of the Official Languages Act, the Commissioner recommended that the organization take steps to see that in 1973 the projects submitted by French-speaking people in the Winnipeg area were entrusted to one or more project officers who were able to speak French. He also asked the Department to keep him informed about what it had done to implement this recommendation.

At the beginning of May 1973, the Department informed the Commissioner that the project officers in the Winnipeg office had established close relations with representatives of the French-speaking community who were acting as advisers, and that frequent meetings were taking place between these two groups. In addition, during the selection of the projects, the Opportunities for Youth staff would work with two French-speakers, one of them a social worker and the other a provincial government official.

In August 1973, the Commissioner was informed that the Department had hired two bilingual employees for the summer of 1973—a project officer and a support employee—to deal with projects submitted by French-speaking people.

## 2. *Various Topics*

### *File No. 709—Unilingual Public Servant*

An English-speaking member of the Department believed she had been discriminated against in a rather flagrant manner because she was not bilingual. She had held an acting supervisory position for some time

and performed her work efficiently. She had not been allowed to retain it in a permanent capacity and had been returned to her original job for language reasons. She claimed bilingualism was wholly unnecessary in the supervisory position she had held, since no work was done in French. As she had been unable to obtain redress, despite her continued efforts, she had asked for a transfer to another department but had encountered the same difficulty.

The Commissioner made unofficial representations to the authorities concerned. They reviewed her case and finally granted her wish to be transferred to another department, and assisted her in obtaining a suitable job.

#### *File Nos. 754, 994—Correspondence*

- A circular in English was sent by the Summer Programmes Division in reply to a request in French.

The Department pointed out that its policy was to reply to requests in the official language of the correspondent. It added that mistakes were sometimes made, and that when informed of them the Department hastened to present its apologies.

Drawing his inspiration from the old saying "Prevention is better than cure", the Commissioner asked the Department to make sure that the composition and distribution of the personnel in all sections dealing with the public are such that each language group can always be served in the official language of its choice.

- The complainant asked the Citizenship Branch for a certificate regarding his job. Although he was French-speaking and made his request in French, he received a letter in English from the personnel office.

The Department told the Commissioner that it had sent the complainant a second certificate, this time in French. It added that such incidents were in contradiction with its directives on bilingualism. It had asked its personnel to make sure there was no repetition.

#### *File No. 1677—On the Telephone*

The complainant telephoned the general information number of the Personnel Administration Branch to obtain information about a cultural service. The person who answered was unable to speak French. The complainant's call was transferred to a second and then a third number before she was able to obtain service in French.

According to the Department, the complainant called during coffee break, when the Branch was not able to provide bilingual service. The Department assured the Commissioner that in future there would always



be someone on duty who could answer inquiries in both official languages.

*File No. 1098—Citizenship Court*

An English-speaking complainant wrote concerning the linguistic requirements for employment as a receptionist and inquiry clerk with the Citizenship Court in Halifax.

The Commissioner explained to her that his Office and the departments and agencies responsible for the development of bilingualism within the federal public service were primarily interested in promoting institutional bilingualism. Some positions were designated by the Treasury Board and the department concerned as requiring a bilingual incumbent, but competence in the two official languages was certainly not an invariable requirement for positions at every level.

The Commissioner advised the correspondent to put her question to the department concerned because it referred to the linguistic requirements of a specific position.

*File No. 1422—Translation Bureau*

The complainant said that his wife had telephoned the Slavonic Languages Section of the Translation Bureau to ask if the Department of External Affairs hired people to translate from Russian to French. The person who answered told her that French was a foreign language.

The Translation Bureau told the Commissioner that the Chief of the Multilingual Services Division had reminded this employee that French was as much an official language of Canada as English.

*File Nos. 1123, 1124, 1125, 1130, 1133, 1137—Canada Day Celebrations*

Complaints were received from six English-speaking persons who objected strongly to the commentary in French only during a performance by a celebrated Quebec pianist on Parliament Hill which formed part of the 1972 Canada Day celebrations.

The Department acknowledged its responsibility for the Canada Day arrangements.

The Commissioner told the complainants he was sorry that the incident had marred their enjoyment of the music. He agreed with them that the Department of the Secretary of State should have provided translation on stage for the benefit of English-speaking members of the audience. Occasions where English was missing on Parliament Hill were rare but that was no excuse for the organizers' failure to

this occasion to comply with the Official Languages Act, which impartially protects the rights of the English and French languages. He told the complainants that, as Parliament's Commissioner of Official Languages, he had formally recommended that events of this kind held under federal auspices anywhere in Canada should always respect the equality of status, rights and privileges of the two official languages as spelt out in the Act.

#### *File No. 1146—Festival Canada*

An English-speaking complainant stated that in the bilingual section of the Festival Canada booklet issued by the Department the times of the various events were indicated in the French manner, e.g. 20h00, rather than 8 p.m. which he considered to be the English way.

The Department said that it had used the 24-hour system because it could readily be understood by English- or French-speakers, Canadians or foreigners. It was the method most frequently employed in railway and airline schedules and information directories.

The complainant wrote again, stating that the Department had missed the point. He did not object to the use of the 24-hour system, but to the use of the French form of specifying time in the bilingual portion of the booklet.

The Department explained further that because the 24-hour system was not universally used there were many ways of indicating a given time. The Department took as an example half-past nine in the morning and gave eleven different ways of indicating it on the 24-hour system: 0930 hrs, 0930h, 09h30, 9 h 30, 0930, 9:30, 9:30 AM, 9:30 A.M., 9.30 A.M., 9:30 a.m. and 930a. It provided documentation ranging from airline schedules to television and cinema time schedules to illustrate its point. As authorities on the subject could not agree on a single method the Department felt it was incorrect to call any particular one "the French system", "the English system", "the American system" or "the Canadian system".

SOLICITOR GENERAL—"The Great Escape"

#### *EVALUATION*

*Under the umbrella of the Solicitor General, the Canadian Penitentiary Service, National Parole Board and Royal Canadian Mounted Police are autonomous agencies; however, the heads of these agencies*

are ultimately responsible for developing and administering measures to implement the Official Languages Act. Between 1 April 1970 and 31 March 1973, the Commissioner's Office investigated 22 complaints directed at the Canadian Penitentiary Service and the National Parole Board. In all instances the complaints were settled promptly with full co-operation of the institutions.

The investigation of complaints brought about some linguistic reforms. Nevertheless, the Commissioner believes that issuance of a directive from the heads of these agencies and its monitored implementation are urgent to ensure full compliance with the Act. At the end of November 1973, such a directive embodying the requirements of the Act and outlining procedures to be followed by the agencies' administrative components was not in sight.

Of the 22 complaints received 16 were directed at the Canadian Penitentiary Service. Two occasioned a preliminary on-the-spot investigation by the Commissioner and a colleague at Dorchester Institution, New Brunswick, which was followed by a more comprehensive study carried out by a complaints officer, and by another study by the same complaints officer at Springhill Institution, Nova Scotia. The Commissioner of Penitentiaries fully co-operated in the investigation of these complaints and promptly instituted steps to correct the deficiencies.

The Canadian Penitentiary Service operates bilingual institutions only in the province of Quebec. In other provinces, providing services in French is a continuing problem owing to the lack of bilingual academic or vocational training instructors. Also, certain inmates, for personal reasons, will not accept transfer to institutions in Quebec.

During the same period, the Commissioner investigated six complaints directed at the National Parole Board, four of which concerned a competition notice. These matters were promptly resolved.

ROYAL CANADIAN MOUNTED POLICE—"Rose Marie" (what else?)

## EVALUATION

The RCMP made a noticeable effort to increase its bilingual staff during the 1972-73 fiscal year. However, despite its implementation of most of the recommendations ensuing from the special study conducted in 1971 and its prompt co-operation in resolving problems giving rise to complaints, work remains to be done before the RCMP meets fully the letter, spirit and intent of the Official Languages Act.



Up to 31 March 1973, the Commissioner of Official Languages received a total of 29 complaints directed at the RCMP, 22 of which were found to be justified. Seven related to a lack of bilingual signs or other identifying marks and 13 alleged that services were not available in French. After receiving these complaints, the RCMP undertook on its own initiative to correct 14 situations and the Commissioner made 10 recommendations to the Force. In addition, the Commissioner made 19 recommendations to the RCMP as a result of the special study completed in May 1971.

In October 1973, the RCMP reported that, for the most part, the recommendations resulting from the study had been carried out and that its aim was to attain complete implementation as soon as possible. The RCMP appears to have met eight of the nine recommendations for "A" Division, the majority of which concern guard and commissionaire services at major government buildings in Ottawa. The Staffing Branch is attempting to comply with the one outstanding recommendation for "A" Division by actively seeking bilingual personnel with the necessary technical qualifications to man its Boat Details at Kingston, Long Sault and Sault Ste-Marie. With respect to headquarters and "N" Division, it stated that receptionist, telephone answering, guard and basic information services are now available in both official languages.

On 13 March 1973, the Solicitor General announced that building signs and automobile decals which met the requirements of the Official Languages Act had been approved for the RCMP. This decision ended a controversy which had for a time effectively impeded the ability of the Force to make progress in its programme for the "bilingualization" of signs of all kinds and it had resulted in a number of complaints being received by the Commissioner which perhaps might otherwise have been avoided. However, a recent follow-up check of signs and public announcements in a number of airports across the country, made in collaboration with Air Canada and the Ministry of Transport revealed that the RCMP's external signs at most airports and its internal signs at the Victoria, Vancouver, and Edmonton airports were still unilingual English. Bilingual automobile markings and shoulder flashes are reported to be, and seem to be, in effect across the country.

The RCMP is currently unable to satisfy the demand for services in the French language in all localities where such a demand is known to exist. Priority for the posting of qualified bilingual personnel has been given to the National Capital Region, and to the provinces of Quebec, Ontario and New Brunswick. Since the Force must recruit and train its own personnel, the rate at which qualified members become available is obviously a question of time. The Force is making use of several different types of language-training and retention courses and is posting graduates of its Bilingual Troop Training Programme

to parts of the country where their newly-acquired skills can be improved through regular contact with the local population.

The Commissioner of Official Languages found, as of October 1973, that the RCMP did not yet have a unified programme or plan in effect for ensuring that headquarters and field organizations of the Force complied in all respects with the letter and spirit of the Official Languages Act. Since 1967, a commissioned officer with responsibility for bilingualism in the Force reported directly to the Deputy Commissioner (Administration), but this arrangement did not lead to the desired results. However, in a reorganization of its senior administrative structure in the fall of 1973, the Force entrusted a chief superintendent within the Organization and Personnel Directorate with responsibilities for centralized planning, co-ordination and monitoring of positions in accordance with the Treasury Board guidelines of June 1973. The RCMP estimated that, by the end of 1973, it would have a central plan, to be implemented across the Force, for serving the public in both official languages. These steps do not meet the first three recommendations made after the headquarters and "N" Division study, but the Commissioner of Official Languages is more interested in results than in the administrative means that are used to achieve them. He will therefore be observing closely how this new arrangement works out.

## COMPLAINTS

### 1. *Service to the Public*

#### *File No. 89—Follow-up*

The author of a brief submitted to the Special Joint Committee of the Senate and the House of Commons on the Constitution of Canada (see the Commissioner's *Second Annual Report*, pages 247-9) was still of the opinion that the Royal Canadian Mounted Police did not post enough French-speaking constables to areas of Saskatchewan with a large percentage of French-speaking inhabitants. He cited the case of a French-speaking constable who graduated in Regina and was posted to Arborg, Manitoba, a completely English-speaking region, whereas Regina, which had two or three thousand French-speakers, apparently had no French-speaking constables. He felt that the provinces or municipalities which relied on the RCMP for police service should require that the Force respect the official bilingualism policy. In addition, he stressed that documents such as summonses and arrest warrants should be in both official languages.

The RCMP informed the Commissioner that in the posting of bilingual personnel priority was given to key areas such as the National Capital Region, Quebec, Ontario and New Brunswick. It added that in bilingual areas, members of the Force were required to learn both official languages. Since the Public Service Commission's language courses did not completely meet the needs of its members, the RCMP had set up a language-training programme for recruits who had already taken a language course before beginning their training at Regina. Such recruits were subsequently posted to detachments in which they could continue their language training—the English-speaking recruits to French-speaking areas, and vice versa. Experience had shown that constables progressed more rapidly under such conditions than when they worked in a region where they spoke mainly their mother tongue. This explained why a French-speaking constable had been posted to the Arborg detachment. The RCMP did nevertheless transfer a bilingual constable from its special programme to the Regina detachment.

The Commissioner of Official Languages recognized the merit of the policy on posting graduates of the RCMP's special language course. However, in view of the shortage of staff capable of providing service in French, he recommended that the RCMP ensure, in accordance with Section 25 of the Act, that this policy did not delay the provision of services in either official language, and further that the RCMP allow exceptions to the rule when necessary. The RCMP agreed to act accordingly.

*File Nos. 1224, 1632—New Brunswick*

- A French-language cultural society pointed out that RCMP cars in the Moncton region bore the unilingual coat of arms with "RCMP". It also complained that several RCMP constables in Shediac, a region with a French-speaking majority, were unilingual English-speakers.

The RCMP admitted that several of its cars bore the English coat of arms only, not just in the Moncton region but elsewhere as well. It said that a bilingual coat of arms had been designed but that its use had been discontinued because of the controversy it had created. The RCMP had therefore temporarily reverted to the original coat of arms until a new bilingual one was approved.

With respect to Shediac, the RCMP pointed out that the detachment was composed of two corporals and six constables. Three of the latter had a good knowledge of French but were not bilingual, the officer in charge was taking second-level French courses and the four remaining members of the detachment were unilingual English-speakers. In view of the shortage of bilingual staff in Shediac, the RCMP had temporarily posted some unilingual English-speakers there, but it



planned to improve its bilingual capacity in Shediac as soon as possible. Finally, the RCMP stated it was aware of the necessity of providing service to the public in both official languages throughout New Brunswick, particularly in regions with a high concentration of French-speaking people.

The Commissioner of Official Languages recommended that the RCMP take all necessary steps to correct as soon as possible the shortcomings that had been pointed out.

- Another French-language cultural society informed the Commissioner that the RCMP was posting unilingual English-speaking constables to north-eastern New Brunswick, particularly to Caraquet.

The RCMP stated that it had three detachments in this region, those of Caraquet, Shippagan and Tracadie. It had temporarily added five extra constables to the regular 12 in these detachments for the purpose of on-the-job French language training. The RCMP said that five of the seven constables posted to Caraquet were bilingual and that the other two were taking French courses. In addition, it pointed out that one of the four constables in the Shippagan detachment was bilingual, another understood some French and the remaining two were completing their French training. Finally, five of the constables posted to Tracadie were bilingual and the sixth was taking French courses. In conclusion, the RCMP pointed out that in posting bilingual staff, priority was given to the National Capital Region, Quebec, Ontario and New Brunswick.

The Commissioner of Official Languages informed the complainant that in order to serve the public in the official language of its choice, the RCMP had set up a programme of bilingual training for recruits who had already taken a language course before enrolling at the Regina base. These constables were then posted for approximately one year to detachments where they could continue their language training while performing their regular duties. English-speaking constables were sent to a French-speaking region, and vice versa. The RCMP stressed that when trainees worked in a region where they used mainly their second language, they were found to make marked progress in that language. This explained why five English-speaking constables were working in the region in question. Finally, the RCMP calculated that, allowing for these five, the ratio of 11 completely bilingual officers out of a regular total of 12 in these detachments compared favourably with the proportion of French-speakers in the region.

The Commissioner concluded that the RCMP was able to serve the population of north-eastern New Brunswick in accordance with the Official Languages Act. He informed the complainant that he had already recommended to the RCMP that it allow for exceptions to it.

policy on postings when necessary in order to provide service in French. The RCMP had agreed to act accordingly.

The society also complained that in other places such as Buctouche, St. Quentin and Madawaska County, the RCMP's bilingual services seemed inadequate. It asked the Commissioner how one could justify a training programme in which citizens were required to provide services to the very agencies set up to serve them. With respect to the action to be taken, the complainant asked whether it might not be better for the RCMP to create a school in Quebec to train people who would be working in the French-speaking regions of Canada, rather than to expose the citizens of these regions to such deplorable service.

These questions were brought to the attention of the RCMP, which, in its reply, merely repeated the arguments it had already submitted to the Commissioner of Official Languages, adding further details about the staff of the four detachments located in the other regions mentioned by the complainant. As a result, the Commissioner decided to have a special study done on the enforcement of the Official Languages Act in "J" Division in New Brunswick. The study would also examine questions regarding the bilingual capacity of the RCMP as a whole.

#### *File No. 1024—Quebec City*

In a letter signed by 45 people, a French-speaking person criticized the RCMP band for not introducing the musical selections in suitable French at a concert at Lévis College in May 1972.

While not wishing to criticize the admirable effort made by the English-speaking master of ceremonies, the Commissioner concluded that the RCMP should have provided an introduction in more polished French.

He recommended that commentaries at the concerts be made in both official languages in accordance with the Act, unless use of one language only was justified.

#### *File No. 1206—Parliament Buildings*

A French-speaker complained that when he visited the Parliament Buildings, the two members of the RCMP on duty at the main entrance were unilingual English-speakers.

An investigation showed that six of the twenty-six constables on duty on the day in question had been unilingual English-speakers. In view of the shortage of bilingual staff, the RCMP had decided to form teams composed of one unilingual and one bilingual constable. Since this directive had not been observed on the day of the complainant's visit, the Commissioner of the RCMP reminded those concerned of

the obligation to comply with it. The Commissioner of Official Languages moreover recommended that periodic checks be made by the Division's Commanding Officer to ensure that the directive was being implemented.

*File No. 1112—Toronto*

A French-speaker reported that while he was at Toronto International Airport in June 1972, he was not able to obtain service in French from the RCMP. He added that only one of the five officers wore a bilingual badge.

The investigation revealed that a bilingual officer was on duty from 7 a.m. to 11 p.m., but that the RCMP was unable to provide bilingual services round the clock at this locality. Because of a shortage of bilingual manpower, the RCMP was able to provide such services only during periods of peak passenger traffic. However, its aim was to have bilingual officers on duty at international airports at all times, and it expected to achieve this objective in the near future. Finally, the RCMP informed the Commissioner that its Toronto division had encountered difficulties in obtaining bilingual badges, but that this problem was now being solved.

After investigating the complaint, the Commissioner of Official Languages recommended that the RCMP provide round-the-clock bilingual services at Toronto International Airport as soon as possible.

*File No. 1721—Alberta*

A cultural association stated that none of the 17 RCMP officers posted to St. Paul spoke French, even though the population of St. Paul and district was about 35 per cent French-speaking. The complainant believed that it was a flagrant injustice to allow such a situation to persist.

The RCMP stated that it was aware of the need to provide bilingual service in St. Paul, and that a bilingual officer had been transferred there at the end of January 1973.

The Commissioner of Official Languages recommended that the RCMP take the necessary steps to increase its bilingual capacity in St. Paul as soon as possible.

The RCMP accepted this recommendation and decided to assign another bilingual officer to St. Paul.

## *2. Signs*

*File Nos. 1042, 1208—New Brunswick*

- A French-speaking person reported that the RCMP building in Fredericton was identified only by a plaque inscribed in English.



The Commissioner of Official Languages informed the complainant that the RCMP had rectified the situation and that signs had been put up in both French and English.

- A French-speaker travelling through New Brunswick noticed that a police station was identified by the English initials "RCMP".

The RCMP informed the Commissioner that the New Brunswick Department of Public Works had put up the signs according to RCMP specifications about 1968. The Force had the unilingual sign replaced by a bilingual one.

#### *File Nos. 1312, 1336, 1518, 1534—Miscellaneous*

The lack of bilingual identification on RCMP buildings and vehicles provoked complaints by a French-language cultural association which drew attention to:

- 1) Unilingual lettering on vehicles in Ottawa and Moncton;
- 2) The initials "RCMP" alone on an office door in North Bay; and
- 3) The unilingual English sign on a building in Ottawa.

The RCMP pointed out that the matter of bilingual identification was receiving special attention from the Solicitor General and the provincial attorneys-general. It added that once these consultations were concluded, it would see that the necessary steps were taken to correct the existing deficiencies. The crests and plaques on RCMP buildings and vehicles throughout the nation were the subject of a ministerial statement in the House of Commons on 12 and 13 March 1973, in pursuance of which, crests and signs would be adopted which complied with the Official Languages Act.

### *3. Competitions*

#### *File Nos. 1169, 1198, 1580—Notice of Competition*

- A French-speaking group from Montreal complained that they had received a notice in English relating to a competition for six librarian positions in three federal institutions; one of these was a Head Librarian's position at RCMP headquarters in Ottawa. (The other positions are discussed under the departments of Agriculture and Communications.)

A Franco-Manitoban who had received a bilingual version of the same competition notice complained that it appeared that French-speaking candidates were expected to be bilingual whereas only a knowledge of English was required of English-speakers.

The Commissioner discovered that the Public Service Commission had originally issued the competition notice in English. This was withdrawn as a result of complaints and replaced by a bilingual notice which also had to be withdrawn because the French version of the section on language requirements did not match the English version. Finally, the Commission had issued a bilingual competition notice for each of the three institutions requiring librarians.

The RCMP maintained that only a knowledge of English was required for the position of Head Librarian in its library at headquarters as no services were offered to the public. It recognized, however, that a greater bilingual capability would be useful and undertook to provide it when funds were available.

The Commissioner of Official Languages recommended that the library's bilingual capability should be increased as soon as possible to meet the needs of French-speaking members of the Force. The RCMP informed the Commissioner shortly afterwards that it had created two bilingual positions in the library.

- A complainant reported that an RCMP advertisement published in a Toronto daily to recruit officers for airports mentioned no language requirements.

The Commissioner pointed out to the complainant that the fact that no language requirements were mentioned in the advertisement did not necessarily mean that the RCMP was shirking its obligation under the Official Languages Act to provide services at airports in both official languages. Anyone with the required qualifications who wished to take part in the competition could do so, whether he was bilingual or unilingual. He added that the advertisement had also appeared in the French-language newspapers and that the RCMP had informed him that it intended to give preference in this recruitment campaign to bilingual applicants.

## CANADIAN PENITENTIARY SERVICE

### COMPLAINTS

#### *File No. 1205—Inmates' Language Rights*

Some British Columbia residents wanted information on the language rights of French-speaking inmates of Canadian penal institutions.

The Commissioner of Penitentiaries explained that even though the Quebec region was in fact the only one recognized as a French-language unit, most of the penitentiaries had bilingual staff members

who were able to answer inmates in their own language. He added that the number of French-speaking inmates in British Columbia penitentiaries was very small and that the bilingual staff assigned to this province was adequate to meet the needs.

In a long conversation with the Commissioner of Penitentiaries, the Commissioner of Official Languages discussed the current application of bilingualism in institutions situated in English-speaking areas. He stressed the need for providing French-speaking inmates with the services of French-speaking psychologists and psychiatrists.

The Commissioner of Official Languages also examined the possibility of allowing French-speaking inmates to be transferred out of English-speaking areas. The Commissioner of Penitentiaries was willing to study cases individually and take appropriate action. However, such transfers had already been offered to French-speaking inmates of one institution in the West, and they had turned them down for personal reasons.

#### *File Nos. 646, 691—Dorchester and Springhill*

The Commissioner's *Second Annual Report* (pages 252-3) listed recommendations for setting up bilingual services in the Dorchester and Springhill institutions.

In an initial progress report, the Commissioner of Penitentiaries informed the Commissioner of Official Languages that he had already sent the Treasury Board circular "Management Objectives for Bilingualism" to the directors of these two institutions. He had indicated to them that these objectives would serve as a basis for the Canadian Penitentiary Service's bilingualism policy once the Department's policy on bilingualism had been approved. The Commissioner of Penitentiaries pointed out that the implementation of some of the recommendations depended on the authorities of the institutions concerned and on the Service's directorate.

A second report submitted several months later disclosed that the recommendations were being put into effect at the Dorchester institution. However, it appeared that at Springhill services in French were being provided to inmates only on request and that the institution had not yet taken the initiative in serving inmates in the official language of their choice.

The Commissioner of Official Languages reiterated one of the conclusions of his original report to the Commissioner of Penitentiaries, namely that the Department should define its bilingualism policy without waiting for bilingual districts to be established.

The Commissioner of Official Languages noted that Dorchester's French-speaking inmates had benefited from the progress made in the



educational and cultural spheres. He also observed, however, that in several of the institution's workshops there was a shortage of instructors and monitors who could speak French.

He told the Commissioner of Penitentiaries that an increase in bilingual educational services at Springhill would fill a real need and that bilingual instructors and monitors should be recruited immediately.

Finally, the Commissioner of Official Languages reminded the Service that it had an obligation to provide French-speaking inmates with services in accordance with the Official Languages Act.

#### *File No. 965—Dorchester*

A cultural association asked the Commissioner to inquire into the proportion, appointments and promotions of French-speaking employees at the Dorchester institution, and into the refusal by some staff members to wear the Service's bilingual shoulder flashes.

The Commissioner reminded the association that, following the investigation of a previous complaint, he had already made recommendations to the Commissioner of Penitentiaries on this subject. He added that under the terms of Section 39 (4) of the Official Languages Act, his powers in questions relating to the appointment or promotion of staff whose duties involved services to the public were restricted to verifying whether the Public Service Commission or the authority concerned had taken the Act into due consideration. He would therefore not be in a position to rule on this matter until after he had received a reply from the Commissioner of Penitentiaries regarding the recommendations made previously.

The Commissioner of Official Languages reiterated that it was not his responsibility to deal with questions concerning the proportion of French-speaking staff, since the Official Languages Act aimed not at individual but at institutional bilingualism. It was clear, however, that in order to comply with the requirements of the Act, a federal institution needed to have a certain bilingual capacity.

Finally, the Commissioner of Official Languages pointed out, on the strength of information supplied by the institution, that none of the employees at Dorchester were opposed to wearing bilingual shoulder flashes. He had nevertheless recommended that in future such flashes be made compulsory.

#### *File No. 927—Stony Mountain*

An inmate at the Farm Annex at Stony Mountain reported that he had difficulties expressing himself in English and asked the Commis-

sioner whether he had to speak that language. He also wanted to know whether it would be possible to tune one of the Annex's three television sets to a French-language channel.

The Commissioner of Penitentiaries pointed out that his Service was still awaiting the approval of the Solicitor General before promulgating the Department's policy on bilingualism. He stated that the Canadian Penitentiary Service had begun a programme aimed at offering bilingual services to inmates in all penal institutions where there was a significant demand, to the extent that it was feasible for it to do so. He informed the Commissioner of Official Languages that, with this in mind, his Service was proceeding with the identification and designation of bilingual positions in certain institutions where this had not already been done, particularly in Ontario and the Western provinces.

The Commissioner of Penitentiaries added that the 28 French-speaking inmates at Stony Mountain (5.5 per cent) were all bilingual and that 16 of them were natives of Quebec. The institution only had about ten bilingual employees, none of them at the Annex, who could communicate with the inmates in French. As a general rule, services to inmates were given only in English.

At a meeting with the Commissioner of Penitentiaries, the Commissioner of Official Languages asked whether it would be possible to offer French-speaking inmates a transfer to another institution where French-language services were available. The Commissioner of Penitentiaries replied that such transfers had been authorized in the past and that other requests, probably including that of the complainant, were being studied. During the conversation, the Commissioner of Penitentiaries promised to send a directive that very day to all institutions and all regional directors of the Canadian Penitentiary Service, specifying that correspondence to or from the Commissioner of Official Languages was not to be censored.

In order to continue with the investigation of the complaint, the Commissioner of Official Languages wrote asking the inmate for written authorization to refer his case to the Canadian Penitentiary Service. The complainant did not reply, so the officer in charge of the study telephoned him. The inmate stated that he was satisfied with the answers he had received to letters he had written to the Solicitor General and to the Commissioner of Penitentiaries, and asked the Commissioner of Official Languages to discontinue the investigation of his complaint.

The Commissioner was later informed that the inmate had refused a transfer, for personal reasons, and had returned to the main building of the institution.

*File No. 1284—Laval*

A complainant reported that notices at the minimum security institution at Laval were often in English only. By way of example, he sent along photocopies of two documents.

The Commissioner of Penitentiaries stated that all communications issued by the institution's authorities were posted in both official languages. One of the examples sent in by the complainant was a telegram authorizing uncensored correspondence between inmates and the Commissioner of Official Languages. This telegram had inadvertently been sent in English only.

The Commissioner of Official Languages recommended that all communications from the Penitentiary Service that were intended for staff and inmates be published in both official languages.

*File No. 838—Shoulder Flashes*

A Member of Parliament wrote to the Commissioner about the Department's decision to provide bilingual shoulder flashes for penitentiary personnel throughout Canada. He suggested that government departments and institutions should accord precedence to one or the other official language in their bilingual signs and insignia depending on the region in which they were worn.

The Commissioner replied that the decision to adopt bilingual shoulder flashes for penitentiary personnel throughout Canada met the requirements of the Official Languages Act. He was unable to make any recommendation as to their format or design.

*File No. 1008—Competition Poster*

A competition poster advertising a position with the Service in Ottawa was in English only. The complainant believed that bilingual French-speakers in the National Capital Region who wished to apply for the position had a right to read the job description in French, especially as more than 80 per cent of all positions in the public service required a knowledge of English and were advertised in that language. He feared that French would suffer as a language of communication within the federal administration if the practice of advertising positions mainly in English was to continue.

The Commissioner discussed the matter with the Public Service Commission. As a result, the Commission issued Bulletin 72-22 which stated that "... in the National Capital Region and in the bilingual districts, any poster or circular used to advertise a position that requires a knowledge of the English language or ... a knowledge of the French



language shall appear in both official languages". Departments were, however, still free to issue unilingual circulars outside the National Capital Region and bilingual districts to advertise positions requiring a knowledge of one specified official language.

The Commissioner felt that this bulletin did not go far enough, and discussions were resumed. The Public Service Commission eventually agreed that all competition posters should be published in bilingual form.

## NATIONAL PAROLE BOARD

### COMPLAINTS

#### *File No. 909—Identification*

A complainant reported that the name of the Parole Board was indicated only in English on the directory in the lobby of the federal building on Lisgar Street in Sudbury.

The Board informed the Commissioner that it had asked to have its name put on the directory in both official languages.

#### *File Nos. 1193, 1210, 1218, 1233—Notice of Competition*

Several complainants brought to the Commissioner's attention the fact that the language requirements for a competition held in August 1972 to fill the position of Executive Director of the Parole Board mentioned only a knowledge of English. They felt that the incumbent of this position would have to deal regularly with both French- and English-speaking people, groups and organizations, and that the knowledge of both languages should be required.

The Board first informed the Commissioner that it had seemed unfair to exclude from the competition unilingual people who, except for a knowledge of French, had all the necessary qualifications. During the investigation, however, the Commissioner came to the conclusion that the duties of Executive Director involved not only responsibilities towards both linguistic groups but also the right of public servants to work in the official language of their choice.

The Commissioner recommended that knowledge of both English and French be made an essential requirement. After refusing at first to implement this recommendation, the Parole Board reconsidered and agreed to give the position to a bilingual person. It later decided to designate the position as bilingual.

## EVALUATION

*Statistics Canada has been the subject of two special studies, one in 1971-72 and the other in 1972-73. The second was undertaken in response to an invitation from the agency to review its plans for the 1976 Census. The action taken by Statistics Canada in responding to recommendations made following the first study (reprinted in the Second Annual Report), as well as to complaints received during the period under review, has been prompt and co-operative. Services provided on a day-to-day basis, such as technical reports and responses to telephone inquiries, are becoming increasingly available in both official languages.*

*The agency's response to the recommendations made in the second study is not as encouraging. Statistics Canada proposes to implement procedures in the 1976 Census which, due to technical and administrative difficulties, do not take fully into account the equality of status of both languages prescribed by the Act and the Commissioner's recommendations that service be offered to each official language group automatically rather than to one (almost invariably the French-speakers) only on request. Unless automatic service in both official languages is provided for in the 1976 Census, the possibility of infractions of the Act will remain, and the Commissioner will have to deal with the resulting complaints as they arise.*

In his first special study, the Commissioner made seven recommendations affecting the Census Division, the Information Division and the Publications Programme. Two of the three recommendations to the Census Division, dealing with information to potential census staff and publicity posters will be implemented before the 1976 Census; the third concerning recruitments of census commissioners, is discussed in a later paragraph on the study of plans for the 1976 Census. Statistics Canada carried out two other recommendations concerning the Inquiries Section of the Information Division: that Statistics Canada be listed bilingually in the Ottawa-Hull telephone directory, and that the Inquiries Section provide the same quality of service in both languages.

Statistics Canada also intends to implement the recommendations concerning translation and publication of reports. It expects to make its publications available in both official languages by March 1974 except for some of the older ones which will continue to be available in only one language until stocks run out and they are reprinted. The Commissioner trusts that the agency will take steps to see that these too are translated and distributed as quickly as possible.

The present *Annual Report* lists 13 recommendations resulting from the second study, relating to the 1976 Census. Statistics Canada plans full implementation of nine recommendations and has given reasons for partial implementation only of the remainder. The agency has set limitations to its compliance with the Commissioner's recommendations in three instances. The first relates to delivery of the questionnaire. Although Statistics Canada is adopting a questionnaire "drop-off" procedure which seems better than that used in the 1971 Census, many citizens may still have to make a special request in order to obtain a questionnaire in the language of their choice. This situation is likely to occur since Statistics Canada, is unable because of apparently insurmountable technical obstacles, to use a bilingual questionnaire and is reluctant to leave both versions of the questionnaire when the respondent has not indicated a preferred language. Only a bilingual format or more extensive use of the two questionnaires would eliminate this likely source of legitimate complaints. The second difficulty arises from the agency's intention to recruit bilingual census representatives within proposed or proclaimed bilingual districts *only* for those enumeration areas in which 10 per cent or more of the population speak a minority official language. Since the recommendation in question makes no provision for this distinction, bilingual census representatives should be appointed in every enumeration area containing both language groups.

The final point concerns census representatives and commissioners in the rest of the country. While the Commissioner recommended that bilingual staff be appointed wherever concentrations of a minority official-language group exist, Statistics Canada proposes to appoint bilingual personnel only where there are concentrations of 10 per cent or more. This too could prevent many people from receiving services in their language. Despite representations from the Commissioner's Office, the agency has maintained its stand and intends to retain both these limitations in its procedures for the 1976 Census.

Most of the complaints received by the Office in the 1971-72 fiscal year concerned forms and language of service used during the 1971 Census. These complaints were the subject of a special report by the Commissioner to Parliament.<sup>1</sup> Other complaints received in the first three fiscal years dealt with infractions of the Act: poor translation into French, lack of service in French and use of unilingual English notices and forms. The agency handled these complaints quickly and in a satisfactory manner.

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1. See *Second Annual Report (1971-72)*, pp. 254-256.



## *SPECIAL STUDY—STUDY OF PLANS FOR 1976 CENSUS*

This study was carried out at the invitation of Statistics Canada in order to assist it in taking the Official Languages Act into account when establishing procedures for the 1976 population and housing census.

The principal areas of investigation were questionnaire design and distribution, the deployment of Census field staff, and publicity and information programmes.

The design and language format of the 1976 Census was one of the most critical problems facing Statistics Canada. An obvious solution to many problems stemming from "drop-off" procedures could have been to prepare an integrally bilingual census questionnaire. However, the team learned that technical postal limitations and the existing state of development of electronic equipment used by Statistics Canada in processing census data rendered the use of a bilingual questionnaire unfeasible for 1976. Thus, the only practical solution, according to the agency, would be to adopt a procedure involving separate documents in the two official languages and the dropping off of a single questionnaire.

With the use of this method, the burden of ensuring that each respondent receives a document in the language of his choice will depend entirely upon the distribution procedures adopted for 1976. The introduction of these procedures would entail acceptance by Statistics Canada of the principle that a sufficient and regular demand exists across Canada for service in both official languages. The maintenance, by enumeration area, of a record of all documents returned in French in English-speaking areas of Canada and in English in French-speaking areas would also facilitate planning for the 1981 Census.

A methodological problem that could arise from dropping off two questionnaires is the risk of respondents submitting duplicate questionnaires which could confuse the actual response rate. In order to avoid this risk and to minimize adverse reaction to a duplicate drop-off, the Commissioner suggested the inclusion of a note explaining the purpose of the procedure.

Ensuring that the respondent receives a questionnaire in the language of his choice is a critical aspect of providing service to the public under the requirements of the Official Languages Act. The equally complex task of ensuring face-to-face services (dropping off and calling back for additional information) must also take into account the requirements of the Act. Census representatives employed in areas where concentrations of a minority official-language group reside would have to be bilingual. In conducting "call-back" procedures, however, Statistics Canada could control, to a large extent, the time and circumstances of collecting additional information, thus minimizing the number of bilin-

gual staff required to perform this service. The team believed that with adequate preparations Statistics Canada could succeed in its efforts to staff itself bilingually, whether through individual bilingual employees or through a combination of unilingual English- and French-speaking people. The team noted that many of the provisions made for Census representatives would also have to be made for the Census Commissioners, though it is recognized that finding competent personnel to serve in relatively difficult supervisory positions for a very short period of time would not be a simple task.

According to information conveyed to the team, the publicity programme undertaken by Statistics Canada to inform the Canadian public about the 1971 Census is to be repeated in 1976. The only problem to surmount will be to ensure adequate distribution of publicity material in both official languages to all parts of the country. The team proposed that Statistics Canada contact groups, associations and societies representing English-speakers and French-speakers in order to inform them about plans to implement the Official Languages Act in the conduct of the Census. In doing so, a good deal of the ill-feeling that occurred in 1971 could be eliminated.

Included in the 1971 Census operation were a number of regional Telephone Assistance Service centres which answered questions and requests regarding the Census. Generally speaking, these functioned quite successfully and it was expected that the same service would be offered in 1976.

In concluding its report, the team observed that the efforts of Statistics Canada to fulfil the applicable provisions of the Official Languages Act should not be impeded by a shortage of funds or man-years. In addition, the team proposed that the findings and recommendations of the report be used where applicable by Statistics Canada in the conduct of other censuses and surveys, most notably the census of agriculture.

The Commissioner made 13 recommendations in an attempt to assist Statistics Canada to plan its 1976 Census in the light of the requirements of the Official Languages Act.

The Commissioner recommended that:

- (1) for the purposes of the 1976 and subsequent censuses, Statistics Canada adopt the principle that a sufficient and regular demand exists across Canada for service in both official languages;
- (2) in 1976 a record be maintained, by enumeration area, of all documents returned in the French language in English-speaking areas of Canada and in English in French-speaking areas;
- (3) Statistics Canada adopt a drop-off procedure which incorporates the following:
  - (a) in all households where someone is home, the respondents be offered a questionnaire in the language of their choice;

- (b) when no one is home a questionnaire be left in each of the two official languages, together with an explanation note, only after at least one call-back has been made by the Census Representative and it has still not been possible to determine the respondent's official language preference;
- (4) all Census Representatives employed in proposed or proclaimed Bilingual Districts be bilingual;
- (5) all Census Representatives employed in areas not in proposed or proclaimed Bilingual Districts but where concentrations of members of the minority official language group reside, be bilingual;
- (6) (a) when it is necessary to return to a respondent for additional information, the respondent should be dealt with in the language in which he or she has completed the census document;
- (b) where Census Representatives are not bilingual, a bilingual capacity be present at no higher a level than the Electoral District to ensure equality of service in both official languages;
- (7) all Census Commissioners employed in proposed or proclaimed Bilingual Districts be bilingual;
- (8) Census Commissioners employed in areas not in Bilingual Districts but where concentrations of members of the official language group reside be bilingual;
- (9) the training programme for Census Commissioners include a thorough examination of the implications of the Official Languages Act for the 1976 Census;
- (10) Statistics Canada, with the assistance of the Commissioner of Official Languages, attempt to reach groups, associations, societies, etc., representing either Anglophones or Francophones across Canada to inform them directly of plans for implementing the Official Languages Act in the 1976 Census;
- (11) Statistics Canada ensure that all Telephone Assistance Service centres be able to provide service in both official languages;
- (12) such additional funds and man-years as may be required for implementation of the Official Languages Act in the 1976 and any subsequent censuses, be made available;
- (13) to the extent applicable, the recommendations in this report also be considered as referring to such other censuses (including the census of agriculture) and surveys as Statistics Canada might from time to time undertake.

## COMPLAINTS

*File Nos. 906, 921, 985, 1061, 1021, 1065, 1720—Surveys*

- A French-speaking complainant stated that he was handed an English-language questionnaire and envelope prepared by Statistics Canada, at the Winnipeg International Airport.

Statistics Canada explained that the questionnaire was available in bilingual format but through an oversight the bilingual one had not



been sent to the customs officers at Winnipeg. This had since been put right.

- A French-language company in Manitoba objected to the address in French appearing on the English side of Form ES2 ("Just Three Little Questions") received from the Labour Division of Statistics Canada. Two French-speaking Montrealers made similar complaints.

Statistics Canada informed the Commissioner that the Census of Merchandising and Services faced a problem with regard to language preference. The survey was conducted only once every five years, so feedback was limited and the institution had not had time to determine the language preference of respondents listed in supplemental registers. However, language preference was now being recorded from completed returns and this information would be stored on tape for future surveys.

Statistics Canada said it was also engaged in developing a complete register of all businesses in the country, based on the Department of National Revenue's records. This register would show the language used by the Department for payroll deductions. Although statistical reporting was not exactly comparable to the reporting of payroll deductions, this information, taken with information from other sources, would enable Statistics Canada to prepare its mailing list according to language preference for the next Census of Merchandising in 1976.

The complainant was informed accordingly.

- A member of a Franco-Manitoban society received a questionnaire in English. The covering letter was also in English. The complainant wondered why Statistics Canada should send English-language forms to an organization whose purpose was to promote French culture.

Statistics Canada replied that the name of the society first came to its attention in an English-language trade journal where it appeared in its English form. It also pointed out that the questionnaire made provision for a respondent to indicate language preference.

The correspondent told the Commissioner that he thought Statistics Canada should show more imagination in its dealings with the public. The federal and provincial governments had invested a million dollars in building a cultural centre for Franco-Manitobans because they both wished to promote French culture and language. Statistics Canada's action seemed to contradict this policy.

The Commissioner forwarded the correspondent's comments to Statistics Canada.

- A complainant from New Brunswick alleged that school principals throughout the province had received letters from the Department of Education concerning a nation-wide survey of physical education being undertaken by the Education Division of Statistics Canada. The letters

to principals were accompanied by Statistics Canada forms which were in English. The complainant wondered whether Statistics Canada had these forms in English only or whether the fault lay with the provincial government in not requesting forms in French for French-speaking schools.

Statistics Canada attributed the lack of French forms partly to poor communication between Statistics Canada and the Department of Education and partly to delays in the translation and printing of the French form. The English form had been distributed by Statistics Canada well in advance of the French form.

The Commissioner told Statistics Canada that all forms should be made available in both official languages at approximately the same time, except where unusual and unavoidable circumstances made this impossible.

- An English-speaking complainant with a French name criticized the procedure followed by Statistics Canada in Quebec at the time of the 1971 Census. He said he was given a French questionnaire to complete and had had to ask for an English one several times before getting it. Furthermore, he had been told on one occasion that he should speak French as his name was French. He had replied to the employee that she should speak Yiddish since she had a Jewish accent.

The Commissioner explained to the complainant that he was not in a position to explain the various incongruities that occurred during the Canada Census, but that they had been sufficiently numerous to cause him to make a special report to Parliament.

#### *File Nos. 1057, 1111, 1752—Publications*

- A French-speaking person from Montreal complained of the poor quality of French in a Statistics Canada publication. He cited many instances of bad grammar, lack of accents, incorrect use of capital letters, wrong titles and the like.

Statistics Canada conceded that the French in its publication *La Classification des professions, Recensement du Canada 1971, inspirée de la Classification et dictionnaire canadiens des professions* was of poor quality. For a start, the title itself was to be changed to *Classification canadienne descriptive des professions*. This publication was to be released in October 1972; at the time of writing, the French edition was being translated by the Department of the Secretary of State. The change of title called for a corresponding change in that of the census manual.

Unfortunately, the technology and time Statistics Canada had to prepare the 1971 edition did not permit the use of accents. The fault would be corrected for the next issue of the coding manual.

Capital letters had been used to begin all words in both French and English. The typesetting machine had been programmed to do this because Statistics Canada had believed that this method procured copy that was easier to read than one with everything printed in capitals, but it did result in less than acceptable French. This would also be put right in the next issue of the manual.

Statistics Canada explained that the terms in the manual were those most frequently encountered on census questionnaires, regardless of whether they were good or poor French or English. This, unfortunately, was a practical necessity because the manual's effectiveness as a guide to coding depended on it.

The Commissioner transmitted Statistics Canada's detailed explanation to the complainant.

- A French-speaking Montrealer complained about the delay in publishing the French version of the *Census Data News (Actualités du Recensement)*.

The Chief Statistician blamed the delay in publication of the French version on a series of translation, typing and correction problems that had developed in the production of the French copy and that had not been anticipated when it was decided to release the English version. It had also been discovered that one appendix had not been translated, which meant a further loss of time, with the result that the French version was not produced until two months after release of the English version.

In order to prevent such difficulties arising in the future, new procedures for translating, editing and approving the text of this type of newsletter had been devised and future issues would be published simultaneously in both official languages.

- A French-speaking person complained that Statistics Canada had sent her an invoice on which the details had been typed in English. The complainant clearly remembered placing her order in French.

Statistics Canada apologized for its error and explained that the procedures in its Publications Distribution Section were designed to ensure that all documents sent to a customer were in the language used when the order was placed. Unfortunately, mistakes sometimes occurred. Statistics Canada said that it would take steps to guard against the same thing happening again.

*File Nos. 1189, 1696—Internal Communications*

- A French-speaking person complained that a directive to the staff of the Data Processing Division was written only in English.



The agency promised to have a French version prepared without delay.

- A public servant working with Statistics Canada complained that he had received only an English version of the organization chart published in January 1973.

The agency informed the Commissioner that it was only at the end of January that the Treasury Board authorized it to make certain changes in its structure. This explained why it had not been able to have the new chart translated in time for the meetings of 31 January and 1 February. It needed this chart to explain the reorganization to the staff and had had to settle for unilingual copies. The agency added that the explanatory notes distributed at the two briefings were bilingual and that a new bilingual organization chart had been distributed in February 1973.

#### *File No. 1327—Telephone Directories*

A complainant stated that Statistics Canada was listed in the Ottawa Telephone Directory solely in English.

A telephone call to the bilingualism adviser of Statistics Canada revealed that arrangements had already been made to list the institution in both official languages in the next issue of the directory. Statistics Canada was also listing its regional offices across Canada in both languages in the new directories.

#### *File No. 1669—Signs*

A complainant alleged that in the lobby of the main building of Statistics Canada there was a large sign, in English only, lauding the merits of geocoding. The sign was highly visible to any member of the public entering the building, as well as to personnel working there.

Statistics Canada explained that the display was originally constructed to help explain the Canadian geocoding system to a large group of visiting United States economists, statisticians and econometricians, members of the American Economic Association and the American Econometric Society. The exhibit was then erected in the lobby to demonstrate the availability of that kind of hardware for other uses by other divisions of the institution. However, in view of the complaint, the display had been removed until bilingual panels, which had already been started before the complaint was received, had been completed.

## SUPPLY AND SERVICES—"Butch Cassidy and the Sundance Kid"

### EVALUATION

*During the last three fiscal years the Commissioner received 20 complaints against this Department; only one entailed a recommendation. It concerned the French version of the General Audit Manual and the Cost Audit Manual which are used by government employees. The majority of other complaints touched on services to the public and were settled without too much delay.*

*The Department considers its institutional bilingual capacity adequate.*

In November 1973, the Department provided the following information about its bilingualism development programme to the Commissioner in answer to his questionnaire.

The Department's official languages development programme is co-ordinated by the Director of Bilingual Programmes. It has not developed a formal evaluation of the implementation of its bilingualism policy but conducts management reviews to ensure that regional offices comply with it. A member of the office of the Director of Bilingual Programmes makes visits periodically and the Director General of Regional operations undertakes consultations. There are no specific deadlines for this programme, since the Department maintains that implementation of the Official Languages Act has been "completed". However, it added, the designation of bilingual positions would be done by 1978.

Some offices in the National Capital Region and the Quebec City and Montreal offices traditionally operate in French. Manuals, internal communications and staff development courses are said to be bilingual. The Department stated that supervision is in French and English, as required.

The Pay and Superannuation sections "in bilingual areas" are staffed to handle enquiries in both official languages. It added that all services to the public are provided in both official languages "as a matter of routine".

### COMPLAINTS

#### *File Nos. 946, 1088—Internal Communications*

- An employee in Printing Operations received a letter of an administrative nature from the Department that was written in English. He claimed that he had a right to receive communications of this type

in French, especially as Printing Operations had been designated as a French-language unit.

The Department informed the Commissioner that there had been an administrative error and that the Personnel Services Branch of Printing Operations had been in touch with the complainant and had seen that he received satisfaction.

- The complainant criticized the Department for not providing its employees with a French version of the general audit and cost audit manuals.

The Department said it recognized the importance of providing its French-speaking employees with manuals in their own language, but stated that it was experiencing difficulty in having these texts translated, since they were of a technical nature and were continually being revised.

In coming to a decision, the Commissioner took into account the right of public servants, under Section 2 of the Official Languages Act, to work, wherever possible, in the official language of their choice, and the fact that the Audit Services Bureau (Quebec sector) is a French-language unit. He recommended that the Department have the general audit manual and the cost audit manual translated as soon as possible—chapter by chapter, if necessary. He also suggested that the Department should look into the possibility of preparing and circulating lists of revisions to these manuals simultaneously in both official languages.

The Department replied that the Audit Services Bureau had prepared a translation of Chapter 10 of the cost audit manual and expected to distribute it in a month's time. In addition, a meeting was to take place between departmental officials and representatives of the Translation Bureau in order to set up a co-ordinated translation programme.

#### *File Nos. 1131, 1719, 1741, 1750, 1754, 1756—Tax Documents*

- A French-speaking taxpayer complained that the Department had used a unilingual English stamp to cancel a tax cheque deposited in the account of the Receiver General of Canada.

The Department informed the Commissioner that one of its representatives had been in touch with an official of the Department of National Revenue, who said that he would see that all taxation offices were equipped with bilingual stamps for cancelling cheques.

- Several French-speaking public servants stated that they had received T4-1972 slips, and in some cases TP4-1972 slips, from the Department's Central Pay Division that had been filled in in English only. One public servant also criticized the quality of the French on pay cheques and stubs, and on certain other documents issued by the Division.



The Department admitted that the T4 and TP4 slips for public servants, and the T4A and TP4A slips sent to retired public servants, had been filled in by the Central Pay Division in English only.

The Department agreed that the employer's title which appeared on these forms should have been in both official languages. It pointed out, however, that departmental officers had not discovered this irregularity until after the forms had already been sent out.

As for special entries on these forms such as "UNITED APP", for example, there was not enough space to write them in both official languages. The Department stated that, as a result, it would ask to be provided with new T4, TP4, T4A and TP4A forms which would allow it to conform fully with the government's policy on bilingualism.

The Department also assured the Commissioner that it would take into account the suggestions made by one of the complainants regarding the quality of the French on documents issued by the Central Pay Division; it was planning to make a study of these linguistic questions. It asked the Commissioner to thank the complainant for his suggestions.

The Commissioner told the Department that he was pleased to learn that all the new tax forms would be filled in in both official languages. He believed that this would meet the requirements of the Official Languages Act. He considered, however, that the Department had failed to comply with the Act as regards the 1972 slips. Because it was apparently impossible, due to a lack of space, to complete them in both languages, the slips sent to French-speaking public servants should have been filled in in French and those sent to their English-speaking colleagues, in English.

It was too late to request that the Department issue new slips for 1972. However, the Commissioner pointed out to the complainants that if they wished to receive new ones filled in in French, they could apply to the Department's Central Pay Division or communicate with him, giving the necessary details and authorizing him to approach the Department on their behalf.

#### *File No. 1256—Central Travel Service*

A complainant said that he could not get service in French when he phoned the Central Travel Service of the Department to make a reservation for a flight to Quebec but was asked to leave his phone number and was told he would be called as soon as a French-speaking reservation agent was available. He claimed that this had happened on a number of occasions.

The Department explained that personnel was provided by Air Canada and was permanently attached to the Central Travel Service. This was only the second such complaint that the Service had ever re-

ceived although it handled between 600 and 1,000 calls a day. Its staff consisted of 12 bilingual and eight unilingual English-speaking reservation agents. Two of the unilingual agents were retiring soon and after that there would be 14 bilingual and six unilingual agents on the job.

The Department assured the Commissioner that it was doing everything possible to provide service in both official languages. It believed that it had on the whole been very successful.

#### *File No. 1348—Unilingual Positions*

A complainant with a limited knowledge of English who had applied for a job as a stenographer with the Department said she was told that the Department was recruiting bilingual and unilingual stenographers but the unilingual positions were for English-speakers only. The complainant claimed that she had been unfairly treated because she had been turned down for a job she might have obtained had she been English-speaking.

The Commissioner's investigation revealed that the Department hired both unilingual English-speakers and unilingual French-speakers according to its requirements. At certain times positions were available for one and not for the other. The Department believed that, because there was not a position available for unilingual French-speakers when she applied, she had concluded erroneously that unilingual positions were open only to English-speakers.

#### *File No. 1728—Language Training*

An English-speaking worker in a French-language unit at the Printing Bureau in Hull (Quebec) sent the Commissioner a copy of a letter he had written to his bilingualism adviser in which he complained about the Department's language-training policy. He alleged that language training was given to people according to the seniority of their position, regardless of their desire or aptitude to learn.

The Department informed the Commissioner that at the present time supervisors who needed language training were sent to the government's language schools during office hours while employees in the operational category were reimbursed for courses taken in their spare time.

The Commissioner replied that if French was really to be the language of work in French-language units, unilingual English-speakers in these units should be given every chance of learning French, whatever their occupational category. The Department wrote again to the Commissioner outlining its plan to provide language training for

90 unilingual English-speakers in the Main Plant and Plant Engineering Branch of the Printing Bureau. It explained that before it could put forward such a plan the impact of technological change and procurement policy had had to be fully assessed and its five-year manpower plan had had to be approved by Treasury Board. The first group was to begin language training in July 1973 and would include the complainant.

*File No. 1734—Printing Bureau*

A member of a French-language cultural organization complained that the label on the package containing copies of the Commissioner's *Second Annual Report* which he had received from the Information Canada Bookstore in Ottawa bore the words "Second Annual Report" in English only.

Asked by the Commissioner how this had come about, the Printing Bureau replied that when the original printing of the *Report* was being packaged for shipment, standard package labels were temporarily out of stock. A substitute label therefore had to be printed on blank gummed paper. The title of the *Report* was in English on one cover and in French on the other; it seemed most likely that the compositor had received a copy, English side uppermost, and simply copied the title he saw.

When the *Report* was reprinted, bilingual labels were used on the packages.

## TAX REVIEW BOARD

### COMPLAINT

*File No. 861—Telephone Service*

A French-speaking person charged the Board with failing to provide adequate telephone service to the French-speaking public.

Investigation revealed the validity of this complaint. The Commissioner reminded the Board that the fact that a person speaks in French constitutes an implicit request to be served in French, and recommended that measures be taken so that the public might be served in both official languages at all times.

The Board promised to hire a bilingual employee to answer the telephone, and in the meantime assigned two bilingual clerks to the reception desk.



## EVALUATION

*The Ministry has been slow to implement specific recommendations arising from two special studies of the Ottawa and Toronto international airports, carried out in 1970 and 1971, and from individual complaints investigated over the last three years. Although the minister himself co-operated readily with the Commissioner, his department's attitude towards the Commissioner's recommendations has been, on balance, disputatious and evasive, and seems to reflect a tendency to react reluctantly under repeated promptings rather than to anticipate demand and take appropriate initiatives. Even where individual efforts at local- and middle-management levels have been considerable and praiseworthy, they sometimes appear to have been vitiated by wasteful deficiencies in central planning and co-ordination.*

*The Ministry's own deadlines for rendering signs into both official languages have come and gone. Despite some recent reforms, counter services, oral announcements and services by concessionaires remain predominantly unilingual English. In sum, four and a half years after the Act came into effect, the Ministry seems to have failed entirely to grasp Section 10's clear and simple requirement for "system-wide" services to the travelling public.*

While some improvements can be reported, the target date for completion of the system-wide "Bilingual Signs Programme", which has only recently replaced the Ministry's former *ad hoc* approach, is now set at March 1974. However, a tour of international airports undertaken by the Commissioner's staff with MOT officials in October 1973 indicated that, although at most of these airports, internal signs were all or mainly bilingual, external signs at six out of ten of them were still only partly bilingual at that date. These on-site inspections of "high-priority" airports leave uncertain, until later verification, the status of signs in some 75 other MOT-controlled airports.

The vagaries of public address systems in both international and national airports continue to cause concern. While MOT announcements are allegedly made in both official languages, and in theory "any paging by the Ministry is done in the language of the passenger concerned"—though how this is determined is unclear—a major source of difficulty is that other messages concerning aircraft movements are made by the airlines, not by the Ministry. The Ministry has only very recently made approaches to prevail upon airlines and other agencies using its PA system to observe the courtesies and law of a bilingual country. However, a three-hour period of observation at Toronto International Airport in October 1973, in the company of MOT officials,

failed to reveal a single announcement in French. The Ministry must now either use contractual leverage to achieve bilingual announcements, or provide a centralized communication service channelling all announcements through linguistically competent staff.

As for bilingual services provided to the travelling public by concessionaires, the Commissioner said in his *Second Annual Report* that "the department must adopt a clear policy on this question". In October 1973, the Ministry reported that it had now "decided that all future airport contracts and leases in locations where there is significant demand for bilingual services will contain an article obliging concessionaires to provide them in both English and French" and that it had also developed "standards and guidelines for the use of Regional Administrators in determining their needs". However, in practice, although the Ministry claims to have accepted the assumption of "significant demand" at all international airports, it still proposes to differentiate degrees of bilingual services at these airports on the basis of locally determined demand. The Commissioner's view is that this approach is not consistent with the law's intent that Canadian travellers should be equally served at all times in their own country; here again, the Ministry is more inclined to think in terms of the circumstances in which services need *not* be provided than of the positive contribution it could make to the convenience of all Canadians. In short, instead of imagining sensible ways of serving the public, as the law has now so long required, it still seems obsessively concerned with "getting off the linguistic hook". The Commissioner considers that, unless the Ministry can establish that there is "no significant demand", or "the demand (for bilingual services) is so irregular as not to warrant (them)", the Act plainly obliges it or its tenants to provide appropriate bilingual services to the travelling public everywhere. Reasonable interpretation of this clause does not include its abolition; meanwhile, energy spent in trying to demonstrate that demand is *not* "significant" could be better employed in developing services to meet an assumed demand.

The Ministry and the Commissioner also have differing views of what constitutes appropriate concessionaire services at major national airports. The Ministry's criteria for determining demand at such airports had not, as of October 1973, been finally approved but its proposed preliminary listing of airports at which demand might be virtually assumed did not strike the Commissioner as reflecting a fair, let alone a generous, standard. On this point, however, discussions are still in progress and the Ministry is prepared to listen to counter-arguments. The crux of the matter is that, granted the administrative difficulties involved, concessionaire services outside Ottawa, Montreal, Quebec, Moncton and Sept-Îles still leave much to be desired and the Ministry

had not, until November 1973, shown any inclination to move forcefully to improve this situation.

Over the last three fiscal years, the Commissioner received 68 complaints concerning the Ministry of Transport. Of these, 47 were founded and three were still under active consideration at the end of March 1973. As a result of these complaints, the Commissioner made to the Ministry a total of 44 recommendations. The following recommendations were implemented in a reasonable time. The Ministry was making good progress in translating certain aviation documents such as pilot licences. The Commissioner had recommended that all such forms be made available in both official languages by 31 March 1973. In October 1973, the Ministry indicated that 44 of the 58 forms were available, or about to be issued, in both official languages. The Ministry had also made measurable progress in implementing the Commissioner's recommendations concerning the Radio Operator Training Centre. Finally, it had made a serious effort to respect better the equality of status of both official languages at the Canadian Coast Guard College.

## COMPLAINTS

### 1. Airports

#### *File Nos. 818, 1330—Halifax*

- A complainant reported that when he visited the Halifax International Airport all flight and public service announcements were made in English only and that while many signs were in English and French, or in English, French and Spanish, a large number were in English only.

The Ministry informed the Commissioner that changes were under way to provide bilingual signs. Ministry personnel transmitted messages over the public address system in exceptional circumstances only. Flight and public service announcements were made by airline employees. Should there be a demand for a bilingual capability among the staff of the limousine service, the Ministry would require in future leases that the lessee engage some staff proficient in both official languages.

The Commissioner asked to be informed when the signs had been replaced, and recommended that any messages of a general information nature that the Ministry made be transmitted in both official languages.

The Ministry subsequently informed the Commissioner that terminal and outside signs had either been obtained or were on order. Tenants had also been informed of the requirements of the Official Languages Act and, where necessary, existing signs had been noted for correction or amendment. The Ministry stated that because the



limousine company could not recruit bilingual personnel, its announcements continued to be made in English.

- A French-speaking person complained that all signs in a parking lot at the Halifax International Airport were in English only.

The Ministry replied that bilingual traffic control and directional signs would be provided at the airport and that the concessionaire operating the parking lot had already ordered signs in both official languages, giving rates and other information dealing directly with the operation of the concession.

*File Nos. 1271, 1424—New Brunswick*

- The complainant reported to the Commissioner that the signs on the doors of the Moncton airport were in English only.

The Ministry asked its regional representatives to correct this situation. The Commissioner recommended that this work be finished by 31 March 1973 at the latest. In point of fact, the Ministry did not take action on this recommendation until six months later.

- A French-speaking person alleged that all signs in the parking lot at the Fredericton Airport were in English only.

The Department replied that it had requested its regional officials to take the necessary action to rectify the situation.

*File No. 1282—Quebec City*

A complainant reported in September 1972 that several signs in the airport at Ancienne Lorette were in English only.

Following the Commissioner's inquiry, the Ministry undertook a survey of signs in all airports administered by the federal government. On 16 October 1973, the Commissioner was informed that all signs in public view at Ancienne Lorette had been made bilingual.

*File Nos. 932, 1107, 1222, 1232, 1254, 1269, 1280, 1335, 1274, 1326, 1606—Ottawa*

- In April 1972, a French-speaking person pointed out that the menus and service in the restaurants at Uplands Airport were unilingual.

The next month, the Ministry informed the Commissioner that the regional office would take immediate steps to have the menus made bilingual. This was done in August.

Concerning the service, the Ministry indicated that the concessionaire faced the following obstacles in trying to recruit bilingual employees: remoteness of the airport and lack of transportation; the

need for some waitresses to take the early-morning or late-night shifts, which eliminated anyone without her own means of transportation; less generous tips than in downtown restaurants; and the opening of several new hotels which attracted bilingual labour.

In June 1972, the concessionaire ran an advertisement for workers in the Ottawa French-language daily newspaper for three weeks, but without success. In August, he again published his advertisement in all three dailies in the capital and, in a further effort to recruit bilingual waitresses, he raised the salaries and also offered free transportation.

- Two French-speaking translators working for a federal government agency alleged they could not obtain service in French by phone from an insurance company handling air accident policies at the airport. They had been seeking assistance in translating the technical term "exposure". They added that they had then spoken in English to the insurance company representative, but she professed not to understand their English any better than their French. According to the complainants, the representative further stated she had no French texts and did not use French in her work.

The president of the insurance agency wrote to the Ministry, disputing in considerable detail the various allegations, and included a copy of a letter signed by the representative in which she affirmed she had not understood, until the end of the second phone call, that the complainants were even discussing insurance. She had previously received some "crank" calls. She also claimed that although not fluent in French she nevertheless spoke it and "got along" at the counter.

The Ministry thought the company's explanation sincere and an adequate reply to the complainants' allegations. Nevertheless, the Commissioner's Office believed it advisable to have an interview with the translators to clarify certain issues, since there was such contradiction between the two versions of the incident. Only one translator could be present: the other was abroad on an extended study session.

At the meeting, the translator maintained his version of events, but stated that he realized the insurance company would not alter its version either. In view of such an apparent impasse he had decided it would be useless to pursue the matter.

Nevertheless, certain points of agreement were established. At the Ottawa Airport no insurance forms were available in French. No documents or written information of any kind were available in French. There was little bilingual capability at the counter of the insurance company.

Subsequently, the insurance company modified its vending machines to sell English- and French-language insurance policies, with appropriate bilingual instructions.

- Several French-speaking persons and a representative of a French-language cultural organization complained that receipts issued by the airport parking lot and restaurant were unilingual. One of them pointed out that the sign identifying the Telecommunications and Electronics Centre was in English only.

The Ministry informed the Commissioner that it had ordered the parking lot and restaurant operators to use a bilingual stamp for the receipts until stocks ran out. After that, they were to use receipts printed in both languages.

Three months later, one of the complainants pointed out to the Commissioner that the parking lot tickets were still in English only. Only the name of the company that operated the parking lot had been changed. The Ministry explained that the company had agreed to comply with its directives but that for some unknown reason, the new tickets were printed only in English. The Ministry then issued another directive stating that the tickets were to be replaced immediately with bilingual ones. It sent a photocopy of one of the new tickets to the Commissioner.

The Ministry also had the English sign identifying the Telecommunications and Electronics Centre removed, and gave assurances that it would soon be replaced with a sign that met the requirements of the Official Languages Act.

- A French-speaker complained that the insurance policy he got from a vending machine in the airport was in English only.

Investigation revealed that the concessionaire was modifying his distributing machines in order to offer insurance policies written in French.

The Commissioner recommended to the Ministry that similar modifications be made to machines selling insurance policies in all federal airports.

On 16 October 1973, the Ministry informed the Commissioner that the insurance company concerned was drafting bilingual insurance policies and expected to finish this work by 1 January 1974. Until then, French-speaking customers could obtain insurance policies in French at the counter.

- A French-speaking complainant alleged that the instructions on the shoe-polishing machine in a men's room at the airport were solely in English. Apparently, one could polish one's shoes in brown or black in English, but not in French. In French, one would sportingly take one's chance: black polish on brown shoes or vice versa. The Russian roulette element added a certain zest for French-speakers.

The Ministry agreed to make the shoe-polishing machine officially bilingual, removing all possibilities of tone-on-tone "en français",



and making certain in both official languages that what's brown is brown, and what's black is black, and that the twain shall never meet.

- A French-speaking person alleged that he had seen a unilingual English sign at the airport that warned the public of the dangers of walking nonchalantly across wet floors. Because he felt that the necks and legs of unilingual French-speakers were as easily broken as those of English-speakers, the complainant brought the matter to the Commissioner's attention.

The Department replied that the appropriate officials were taking the necessary remedial action.

*File Nos. 757, 1281, 1581—Toronto*

- Representatives of a Franco-Ontarian association arriving at Toronto International Airport stated that at least 30 of the signs were in English only, that the only bookstore at the airport had only 40 books in French out of a total of 5,000, that the menu in each of the restaurants, except for the one on the roof, was in English only, and that none of the announcements over the PA system (there were about 130) were in both languages during the five-hour period they were at the airport.

In the autumn of 1971, the Ministry had taken the necessary steps to ensure that all signs at the airport would be bilingual by March of 1972. The contractor, however, encountered several unexpected delays, and the Ministry was forced to exert pressure on him to complete the work as quickly as possible.

The Ministry informed the Commissioner that it had no control over announcements concerning air traffic (arrivals, departures, and so on), as this was the responsibility of the airlines. General announcements were made by the Information Service. Acting on previous recommendations by the Commissioner, the Ministry had endeavoured to hire only bilingual staff for it, so as to be able to provide service at all times in both official languages.

The Ministry added that the concessions which had leased space in the airport did not come under its direct jurisdiction, and that it would have to wait for the leases to expire in 1974 before it could require that concessionaires hire bilingual employees, in accordance with the Official Languages Act. The bookseller in question informed the Ministry that he would make an attempt to meet the growing demand for French books.

As far as the restaurant owners were concerned, they explained that although a bilingual menu was already offered in the rooftop restaurant, this was not possible in the cafeteria because of the menu changes which were required every day. The Ministry stated that it

would continue studying this question with the concessionaires and that it hoped a solution would be found.

With regard to signs at the airport, the Ministry informed the Commissioner that pictographs were being put up, that bilingual signs had already been placed at Terminal II, and that the installation of bilingual road signs was almost completed.

- The complainant stated that the parking lot receipts and the bills and menus at the airport restaurant were in English only.

The Ministry was planning a meeting with the concessionaires to solve this problem. The Commissioner recommended that all necessary steps be taken to arrive at a satisfactory solution.

On 16 October 1973, the Ministry informed the Commissioner that the parking lot had obtained bilingual tickets and receipts. As for the restaurant, it was in the process of obtaining menus and bills in both official languages for its customers.

- A French-speaking correspondent alleged that at the baggage claim section of the airport there were unilingual English signs without any French equivalents.

The Ministry replied it had discussed the matter with its officials in Toronto, who said they were aware of the situation, and that correction of the signs was included in its Bilingual Signs Programme.

The Commissioner asked the Ministry when the Programme would be completed. He further stated he could not understand the delay, and that the target dates previously set by the Ministry had long since passed.

The Ministry sent the Commissioner a progress report that was also related to recommendations made a year earlier by the Special Studies Service.

It regretted that there had not yet been full implementation of the recommendations but said that it was pressing on with the job.

The Commissioner later had a meeting with the Minister of Transport at which these questions were discussed.

#### *File No. 1287—Timmins*

A French-speaker complained that most of the signs at the airport were in English only. He stated that the only official sign on the outside (facing the runways) read "Department of Transport, Timmins Airport". Furthermore, with regard to parking facilities, he claimed that signs were generally in English only, with the signature "Canada Transport". The complainant claimed some of the French signs inside the airport were misspelt or incorrect, e.g. "passagers autorisés seulement", "salle de bain", etc.

The Ministry replied that the appropriate officials had been requested to have the signs corrected. In addition, all regional offices were conducting surveys to determine the total requirements for bilingual signs at airports under their jurisdiction.

*File No. 1549—North Bay and Kapuskasing*

A French-speaking complainant alleged that certain of the Ministry's signs at the North Bay and Kapuskasing airports were in English only.

At North Bay the following signs were cited:

- 1) A sign advising pilots to ring the bell to communicate with the control tower between 2400 hours and 0700. This sign is located at the entrance from the runway area;
- 2) Three signs inside the airport building, dealing with the claiming of baggage;
- 3) A sign at the baggage recovery office which said: "Warning, remove control belt and keep off";
- 4) A sign in the airport building which read: "This building closed midnight to seven A.M. daily";
- 5) A sign stating: "Spectator Deck"; and
- 6) A sign stating: "Construction Branch Engineering Office".

At Kapuskasing, the sign at the entrance to the airport read: "Kapuskasing Airport owned and operated by the Department of Transport".

The Ministry informed the Commissioner it was requesting its officials in Toronto to ensure that the discrepancies cited be included for correction in their Bilingual Signs Programme.

*File No. 1635—Sudbury*

A French-speaking complainant alleged that a sign at the airport read: "Department of Transport Aeradio and Weather Office" in English only.

The Ministry stated it was requesting the Regional Office in Toronto to contact the appropriate officials in Sudbury, directing that a French translation of the sign be added.

*2. Miscellaneous*

*File Nos. 992, 1547—Competitions*

- The complainant could not understand why the Ministry's Competition No. 72-2352, for the position of Civil Aviation Inspector.



did not specify the need for a bilingual incumbent since, in his opinion, the position required the ability to establish and maintain relationships with various organizations, some of which used French in the course of their normal business activities. The complainant also expressed doubts about the ability of the Flight Standards and Regulations Division to provide adequate service to the public in French since fewer than 10 per cent of its staff, it seemed, were bilingual. In fact, given its low bilingual capability, the Airways Section, in the complainant's opinion, could not help but provide inferior service, poor liaison, low quality translation of texts and unilingual English licences, endorsement forms and questionnaires.

The Ministry replied that the position required the ability to establish and maintain relationships with the International Civil Aviation Organization and the aviation industry as a whole, a field in which, according to the Ministry, the major part of external communication, including correspondence and reporting, has traditionally been carried on in English. The Ministry's competition poster made no mention of language requirements because it was understood that French-speaking candidates would be treated on an equal footing with unilingual English-speakers, providing that they possessed the necessary technical qualifications and that their knowledge of English could meet the requirements of the job. The Ministry assured the Commissioner that routine correspondence in French could be translated within the Division. Legal documents, however, were handled by its official translation services.

Regarding the personnel of the Flight Standards and Regulations Division, the Ministry stated that, out of a total of 115 regular employees, there were seven bilingual inspectors in the Aviation Section and eight bilingual employees in the support category. In addition, 19 inspectors of the Aviation Section and six employees in the support category were said to be engaged in language training. The Ministry added that it intended to recruit qualified applicants capable of offering bilingual services where needed. Furthermore, the language-training programme would also be utilized to meet the requirements of the Official Languages Act.

With respect to licences and endorsement forms, the Ministry stated that these items were in the final stages of preparation in a bilingual format and would be put into use as soon as available. It appeared that student pilot permits were already being issued in French and English and that examination papers edited by the Translation Bureau had been available in the two official languages for several years.

The Commissioner was pleased to note that tests and student pilot permits were available in French and English and that bilingual licences

and endorsement forms would soon be put into use. He recommended that the necessary steps be taken to have the licences and endorsement forms ready and in use no later than 31 March 1973.

Concerning bilingual service to the public in the Flight Standards and Regulations Division, the Commissioner noted the Ministry's intention to use its language-training programme along with recruitment to meet the requirements of the Official Languages Act. He requested that the Ministry send him a report before the end of the fiscal year 1972-73 describing progress made in this regard.

Concerning the linguistic requirements of Competition No. 72-2352, the Commissioner stated that he was of the opinion that the position should have been advertised as requiring a bilingual incumbent.

- A French-speaking complainant objected to the fact that two separate posters advertising positions in the Ministry at the PM2 and PM6 levels specified that knowledge of the English language was essential and made no mention of knowledge of French. In his opinion, the nature of the duties as described in the advertisements clearly required a knowledge of both official languages.

The Commissioner commented that the Ministry should reconsider the language requirements of both positions in accordance with Section 9 (1) of the Official Languages Act, as these positions were located in Ottawa or in proposed bilingual districts.

The Ministry agreed that a bilingual capability was necessary for the position at the PM2 level and amended the poster to have two of the six positions designated as requiring knowledge of both official languages. However, it did not consider that the incumbent of the PM6 position required a knowledge of both official languages, as the bilingual capability would exist in the unit as a whole.

The Commissioner was not entirely convinced by the Ministry's explanation, since the timing of the hiring of the employees might create a situation in which a unilingual English-speaking superintendent of the unit had to deal with subsections across Canada before the bilingual capability of the unit was established.

The Ministry assured the Commissioner that establishment of the bilingual capability of the unit would precede the appointment of the superintendent. The Commissioner accepted the Ministry's assurances, but pointed out that the superintendent might later encounter problems relating to language of work and possibly even language of service.

#### *File No. 961—Canadian Coast Guard College*

A complainant alleged contraventions of the Official Languages Act at the Canadian Coast Guard College in Sydney, Nova Scotia.

These allegations concerned:

- 1) Two competitions held by the College to appoint a senior language instructor to serve as Head of the Arts and Language Department;
- 2) Failure to accord equal status to the French language in providing service and facilities to cadets and staff members at the College, specifically:
  - a) The inability of the College to offer all its professional courses in both official languages;
  - b) The absence of opportunities for French-speaking students to write examinations in their own language for possible subsequent translation by the College translators;
  - c) The failure of the College to afford French-speaking students summoned for reprimand or disciplinary interview the right to present their case in their own language;
  - d) The inability of the College to permit unilingual French-speaking members to participate in required staff meetings, conducted in English only; and
  - e) The lack of encouragement and opportunity for members of the staff wishing to attend total-immersion language courses offered by the Public Service Commission's Language Bureau.

A preliminary analysis of this complaint indicated that its investigation could not be confined to specific charges made by the complainant, since the fundamental issue of the equality of status and of equal rights and privileges of the two official languages was raised.

Accordingly, the Commissioner decided that two Complaints Officers, accompanied by an observer from the Ministry, should visit the College to investigate the complainant's allegations and to determine whether the College was providing its public with services in both official languages in accordance with the requirements of the Act.

The first phase of the investigation focused on the complainant's allegations concerning the conduct of two competitions held to appoint a Head of the College's Arts and Language Department. Since the first competition was cancelled because of alleged procedural anomalies and errors in defining the position requirement standards, and since the outcome of the second competition was that no appointment was made, a third competition was to be held in an attempt to appoint a permanent Head of the Arts and Language Department. The equivocal result of the first two competitions appeared to have had a deplorable effect on staff and student morale. The Commissioner recommended that the third competition be held and an appointment made without further delay.

With regard to the second part of the complaint, representatives of the Commissioner's Office examined the specific allegations in detail and



proceeded to an investigation of the general areas of administration, personnel, and provision of services to cadets.

The Commissioner was able to conclude that in general the College had made a serious effort to meet requirements of the Official Languages Act in the provision of training to cadets. When the investigation team had completed its study, the Commissioner forwarded to the Ministry a report containing a summary of its findings and 19 recommendations. These recommendations were made not merely to correct noticeable infractions of the Official Languages Act but also to assist the Ministry in devising a policy which better respected the equality of status and the equal rights and privileges of the English and French languages as to their use at the College.

The Commissioner recommended, for example, that daily orders always be issued in a bilingual format and that memoranda of a general nature, whether addressed to staff or to cadets, appear simultaneously in both official languages. Other recommendations may be summarized as follows:

- a) That all signs, announcements, notices, reports, forms and lists be issued simultaneously in both official languages and that both versions be accorded equal prominence in display and distribution;
- b) That consideration be given to the provision of language training for certain staff since the Commissioner believed that, although not all College staff members need be bilingual, a sufficient number had to be competent in each or both official languages to provide adequate and appropriate service to staff and to cadets, as required;
- c) That courses be offered at all levels in both official languages except in exceptional circumstances, and that, if, for reasons beyond the College's control, it were necessary to insist that some cadets take courses taught in their second language, these cadets be permitted to submit all course projects and papers and write examinations in the official language of their choice;
- d) That great care be taken in the selection of French-language textbooks and manuals, and that every effort be made to equip the library with reference and reading material in both official languages;
- e) That a total-immersion language programme for new cadets be studied;
- f) That any cadet called before a Review Board be permitted to use the official language of his choice, and that the Review Board be so constituted that the majority of its members have a working knowledge of the cadet's preferred official language; and

g) That consideration be given to measures to lessen the high attrition rate among the French-speaking cadets and to facilitate the effective development of the College's bilingual character.

The Ministry readily agreed in principle to these recommendations and is implementing them.

## TREASURY BOARD

### *SPECIAL STUDY—TREASURY BOARD SECRETARIAT*

#### *Purpose of the Study*

Whenever the Commissioner of Official Languages conducts and carries out investigations pursuant to Section 25 of the Official Languages Act, he usually seeks to assess how a given federal institution is fulfilling its obligations under that Act. He thus ascertains whether the institution is providing its services to the public in both official languages and, where the investigation is not limited to language of service, whether the equality of status of both languages is being respected within the department or agency under review.

The orientation of the Treasury Board Secretariat study, of which an outline is given in Chapter I of this report, was completely different. Basically it involved studying this institution as a central agency capable of introducing measures for enabling or facilitating application of the Official Languages Act in a large section of the federal administration. It was necessary, in short, to assess the Secretariat in its capacity as employer and manager of the public service, in the area of the official languages, and thus to appraise the effectiveness of the measures taken by the executive to have its administrative bodies comply with the Act.

Although the report on the study was not sent to the Secretary of Treasury Board until October 1973—after the end of the 1972-73 fiscal year—the Commissioner decided, in view of the importance of the matter, not to wait for publication of his fourth annual report to present the results of his investigation. This study was conducted between 12 February and 6 March 1973. Twenty-nine interview sessions were held, and provided most of the data necessary for the study. The Commissioner's representatives also studied various documents, such as legislative texts, directives and internal study reports.

#### *Conceptual Framework of the Study*

The group responsible for the study began by drawing up a framework specifying four categories of data to be collected.

The first step was to define the responsibilities and powers of the Secretariat, not only in the area of bilingualism but also in the broader context of its management authority for those institutions which come under its jurisdiction.

It was then necessary to determine whether the Secretariat had taken the necessary steps to assess the bilingualism situation in the federal administration before taking on responsibilities in that regard.

Thirdly, the measures that the Secretariat had taken or proposed to take in order to foster application of the Official Languages Act constituted the core of the study. In other words, this meant ascertaining whether the Secretariat had made full use of its powers with respect to the official languages and, if not, analysing what it planned to do to correct the situation. To this was linked an examination of the controls which the Secretariat can use to check whether the measures it lays down are actually being applied.

Finally, it was necessary to assess the resources which the Secretariat had marshalled in order to fulfil its responsibilities in the area of the official languages and to determine whether the means were commensurate with the objectives.

### *Principal Observations*

The Commissioner's study found that the Secretariat, despite constraints inherent in its situation and role, has enough freedom of movement to be able to exert, in the area of the official languages, a possibly decisive influence over the departments and agencies under its jurisdiction.

In this regard the Secretariat had in the past shown itself to be unnecessarily slow and circumspect in assuming its responsibilities and playing, as required, its role of guide and active agent in the implementation of the Act. It had also tended to consider establishing bilingualism in the public service as a task to be measured and managed largely through budgetary allocations. In short, the Secretariat's actions appeared fragmentary, sporadic and lacking in vigour. Thus, the human resources mustered up to the time of the study appeared insufficient in relation to the many tasks the Secretariat must cope with in the official languages field. However, as this report mentions elsewhere, the situation has since improved.

One of the basic propositions of the study undertaken by the Commissioner was that, before actually assuming its responsibilities of manager and employer in the official languages context, the Treasury Board must have a comprehensive and at the same time clear picture of the status of bilingualism in the federal public service.



This goal may be achieved through studies of an all-embracing nature or by a series of partial assessments, or by a combination of both methods.

On 15 December 1970, the Cabinet instructed the Treasury Board to assess the effectiveness of the bilingualism programme as a whole in order to determine what progress had been achieved since 1966. On 15 March 1971, the Treasury Board announced the formation of a Task Force on Bilingualism to carry out the required assessment.

At the time of the study undertaken by the Commissioner, the Treasury Board was in possession of most of the results of the Task Force's work, including the integrated report. It was then too early to know to what extent this overall assessment, encompassing such important subjects as translation, language training and French-language units, enabled the Treasury Board to take meaningful and effective action. However, there was no guarantee that the data gathered would remain current for very long. Apparently analysis of the Task Force reports and formulation of a plan of action based on them were set aside, at least temporarily, in favour of application of the principles contained in the statement made by the President of the Treasury Board on 14 December 1972.

And yet, since the Secretariat had not made any localized surveys, prompt analysis of the Task Force reports seemed necessary if the Secretariat wished to draw from them, while they were still current, certain material enabling it to plan its activities in the official languages sphere.

The Secretariat's activity in the realm of the official languages is conditioned by the orientations the Treasury Board has given language policy in the public service since early 1971, when it inherited from the Department of the Secretary of State the primary role among the executive bodies with respect to the official languages. The Commissioner's representatives therefore studied two basic documents closely.

The first is circular No. 1971-21, entitled "Management Objectives for Bilingualism", addressed by the Secretary of the Treasury Board to heads and deputy heads of departments and agencies and submitted by the President of Treasury Board to the Standing Committee on Miscellaneous Estimates on 9 March 1971. It was observed that, while this document contains many positive points, it also reveals certain gaps and omissions, and it makes no direct reference to the Official Languages Act, even though some of the principal sections of the Act are reflected in the objectives it outlines. Analysis of the circular also showed that the Secretariat had not given detailed clarification of the general content of some of the objectives and that the time factor had been neglected. The circular does ask the departments and agencies to "give priority to the planning and implementing of activities to achieve these bilingual-

ism objectives", but this exhortation would have carried more weight had it been accompanied by deadlines and controls reflecting the fact that the Official Languages Act had then been in force for over 18 months. While recommending that the circular's relevancy be maintained, the Commissioner also asked the Secretariat to take the necessary steps to remedy the deficiencies he had found in it.

The second document analysed by the team responsible for the study is the 14 December 1972 statement by the President of the Treasury Board, distributed to all federal employees, dealing with identification of the language requirements for government positions and the conditions that apply to those seeking employment in the public service.

Although the nine principles outlined in the statement governing implementation of these new policies by federal departments and agencies are based on the Official Languages Act, the study revealed that incautious application of these principles could in some cases lead to violations of that Act. Thus, the target date set for the "designation", that is the staffing, of bilingual positions—namely 31 December 1978, with the possibility of an extension—might in some cases defer application of the Act by almost 10 years. Moreover, the administrative measures planned to protect the job security of present public servants—excellent measures in themselves, and of the kind the Commissioner has always recommended in the past—should not exempt the departments and agencies from taking the necessary steps to comply with the provisions of the Act relating to the language of service and language of work.

In another connection, one of the principles outlined in the statement gave priority to the "identification" and "designation" of bilingual positions as opposed to unilingual positions or those that can be staffed by either an English-speaker or a French-speaker. The study group felt that "identifying" these three categories of positions at the same time would provide the government with statistical data that would enable it to evaluate the relative importance of the two official languages in the federal public service.

It would seem that the Secretariat has since given special attention to this point and to the two preceding it.

Another passage in the President's statement which attracted attention was the paragraph dealing with federal government employees' choice of working language. The basic objective expressed there is definitely one of the important elements which will make it possible to apply Section 2 of the Official Languages Act. In this case, the two relevant comments which were made concerned, on the one hand, the geographical limits to be imposed on the objective and, secondly, the period of time required to achieve it. It is true that the geographical

limits were given merely as an example, but they must not become restrictive, since, if applied to the letter, they would, for instance, exclude certain cities and regions where there is a high concentration of field offices of federal institutions; such offices may well serve areas where both language groups are represented and where consequently government employees of both language groups are likely to work.

Moreover, since the passage in question makes no mention of federal public servants working abroad, the study group pointed out that the fundamental objective regarding the working language should apply to all Canadian government offices in other countries as well.

The authors of the report pointed out that the target date for implementation of the measures relating to the working language—provisionally set for 1978—should not be used as an excuse for not taking immediate steps, such as defining the administrative procedures which will enable the federal institutions concerned to achieve the stated objectives.

On a different plane, the study showed that the Secretariat's activities in the area of the official languages seemed to be more the product of chance rather than of a carefully thought-out plan. The terms of the President's statement of 14 December 1972 and the documents following from it had obviously obliged the Treasury Board's Bilingualism Division\* to concentrate all its energy on the "identification" and "designation" of bilingual positions and to leave aside the other possibilities for action and intervention, such as formulation of administrative policies covering the requirements relating to the official languages, giving information to public servants, introducing administrative arrangements that would enable departments and agencies to comply more fully with the Act from the viewpoints of both language of work and language of service, and monitoring application of the measures imposed on the institutions concerned—an activity which must presuppose earlier intervention.

Thus the study revealed that, with only one exception, the administrative directives, which are one of the means by which the Secretariat exercises its role as manager of the public service—in this case through its Administrative Policy Branch—made no mention of the administrative requirements deriving from the Official Languages Act.

It soon became apparent that the Secretariat's efforts to disseminate information fell considerably short of what was needed. Indeed, at the time of the study, the entire staff of the information and communications "group" attached to the Bilingualism Division consisted of one officer and one temporary employee. Moreover, although this group had been able to prepare and in some cases start up interesting

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\* Now the Official Languages Branch.



programmes, the study revealed the contingent nature of the Secretariat's activities in providing information on the official languages—its inability, in short, to launch and sustain long-term programmes to inform public servants in particular and the public in general about the practical aspects of implementing the Official Languages Act.

The study also revealed that the Secretariat had not been able to devote the necessary attention to introducing administrative arrangements designed to foster the use of French so that it became a normal and enriching language of work for French-speaking public servants, just as English is for their English-speaking colleagues. The French-language unit experiment was still at the evaluation stage, and no precise orientation had been established in the language of work domain.

At the time of the study, the Secretariat had not yet had an opportunity to evaluate the success of its official languages programmes, except for the FLU experiment. Obviously it could not put the cart before the horse, but had to wait until a sufficiently large number of measures had been instituted before making any kind of assessment. The report issued following the study points out, however, that without taking over the duties of the Commissioner of Official Languages, who is responsible for keeping an eye on the extent to which the Official Languages Act is being respected, the Treasury Board Secretariat could greatly help departments and agencies to comply more fully with the Act by monitoring the implementation of measures which it had itself laid down—measures which would presumably tend to facilitate application of the Act.

### *Treasury Board at the Crossroads*

In conclusion, the Commissioner's representatives pointed out that if the Treasury Board Secretariat wished to play in its entirety the active role in bilingualism which the political authorities had entrusted to it, it would have not only to adopt a more energetic approach and display greater initiative than in the past, but also to specify in detail those measures regarding language of service and language of work that the entire public service must implement in order to comply more fully with the Official Languages Act. With this in mind, the study group submitted to the Secretariat a list, based on the accumulated experience of the Commissioner's Office, of the principal elements which must be taken into account in connection with the language of service. Moreover, although it was difficult to deal exhaustively with all the questions to which equal use of both languages at work and in internal communications gives rise, it was obvious that neither the creation of French-language units nor determination of the language requirements of positions made up the sum total of possible steps open to the Secretariat.

In short, the study gave a picture of the Treasury Board Secretariat at a critical point in time. Preoccupied as it was with the "identification" of the language requirements for positions, it had not given the other aspects of bilingualism all the attention they deserved. The Secretariat has since clearly stated its intention, as this report mentions,\* to extend its efforts to other fronts. The choice facing the Secretariat can be summed up as follows: either it can withdraw into a purely passive role and content itself with reacting to submissions from the institutions under its jurisdiction, or it can take the bull by the horns and resolutely tackle the problems remaining. The year 1974 will be decisive in this regard.

The Commissioner recommended that the Secretariat:

*Scope of the Secretariat's Action and Resources Called Upon*

(1) urgently expand its plan for achieving the earliest possible compliance with the Official Languages Act by all institutions within its jurisdiction, to encompass

(a) all means of communication, of whatever kind or form, whereby service is rendered to the public or any portion of it;

(b) all means of communication and ambient facilities that make up and render possible the use of both official languages as languages of work in federal institutions;

(2) so organize and equip itself internally that

(a) in the field of official languages, its action extends beyond the sole questions of bilingual positions and French-language units;

(b) ensuring compliance with all aspects of the Act by the federal institutions referred to is given significant priority and importance;

(c) the size of the Official Languages Branch, the scale of its operations and of the human and physical resources within its possession or accessible to it are such as to indicate the priority and importance of the Secretariat's extended responsibility and to permit the successful and timely accomplishment of its task;

(d) it is enabled, with respect to the Official Languages Act, to exert its influence simultaneously over all departments and other appropriate federal institutions;

(e) the influence of the Branch takes the form not only of setting uniform objectives, establishing administrative definitions, conditions and time frames and stimulating to action across a broad front, but also of evaluating progress and taking remedial measures;

(f) all its other components participate, in their respective fields of activity, in achieving implementation of the Act and that an integrated approach is taken with all federal institutions involved;

*Treasury Board Circular No. 1971-21*

(3) keep Treasury Board Circular 1971-21 current, at the same time completing the objectives concerning the language of service and communications with the public so that the first (objective No. 5) mentions the duty in-

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\* See Chapter I.

cumbent on federal institutions to provide service outside the country in both of Canada's official languages and that the second (objective No. 6) provides for cases where a communication of a specialized nature, such as a technical report made available to specialists in the private sector, and so forth, may in some instances constitute a service and consequently must comply with Sections 9 and 10 of the Official Languages Act;

(4) define the concrete measures that institutions concerned should take to achieve objectives Nos. 5 and 6 of Treasury Board Circular No. 1971-21, as revised in accordance with Recommendation 3;

(5) set target dates for achievement of objectives Nos. 5 and 6 of Treasury Board Circular No. 1971-21, keeping in mind the urgency of implementing the Official Languages Act without undue delay;

(6) regularly monitor the progress made by the institutions concerned towards achievement of the eleven objectives of Circular No. 1971-21, as revised in accordance with Recommendations 3, 4 and 5 of this report, and regularly communicate to the Commissioner the results of such monitoring;

#### *Statement of 14 December 1972*

(7) take the necessary steps to ensure that the institutions involved strictly observe the requirements of the Official Languages Act in applying the nine principles laid down in the 14 December 1972 statement by the President of the Treasury Board;

(8) intervene with the institutions concerned for the purpose of advancing as far as possible the target date (31 December 1978) set for designating bilingual positions whenever implementation of the Official Languages Act is at issue;

(9) instruct the institutions concerned that, notwithstanding the target date of 31 December 1978, by which date bilingual positions must be designated pursuant to the statement of 14 December 1972, they shall observe any target date set by the Commissioner, as a result of carrying out a study or investigating a complaint, for filling a position, whether or not it had been identified as bilingual, or for providing adequate bilingual staff for ensuring, in accordance with the Official Languages Act, service in both official languages or equal status of the two official languages as languages of work;

(10) ask the institutions concerned to identify the unilingual positions and those that can be filled equally well by either an anglophone or a francophone at the same time that they are identifying the bilingual positions and, in order to enable the Commissioner of Official Languages to assess the respective use of the two official languages in the Public Service of Canada, from the standpoint of both service and of languages of work, forward to the Commissioner, as the data becomes available, complete and detailed statistics on

(a) bilingual positions;

(b) unilingual positions for which a knowledge of English is essential;

(c) unilingual positions for which a knowledge of French is essential;

(d) positions where either English or French may be used;

(11) indicate to the federal institutions concerned that they must take the necessary administrative measures to ensure that the services provided by a unilingual employee occupying a bilingual position can be provided in both English and French while that employee, in pursuance of principles Nos. 6



and 8 of the statement of 14 December 1972, is taking language courses and as long as he is not capable of performing his duties in both English and French;

(12) make the federal institutions concerned aware of their obligation to take the necessary administrative measures for complying with the Official Languages Act, from both the language of service and the language of work standpoints, whenever, by virtue of principle No. 7 of the statement of 14 December 1972, long-service unilingual employees continue to occupy bilingual positions;

(13) see that the federal institutions concerned, in implementing that part of the statement of December 1972 that relates to languages of work  
“...Canadians who work for the Government of Canada should be able, as a general rule, to work in the language of their choice. This equality of opportunity will be realized when and where the supervision of employees, and central services, can be provided in both languages”;

extend the reforms they will be introducing in Canada to areas other than those cited in the statement as examples (Montreal, certain other parts of Quebec, parts of Eastern and Northern Ontario and parts of Northern and Eastern New Brunswick);

(14) make it clear to the federal institutions concerned that the principles relating to language of work apply equally to public servants posted outside the country;

(15) define in the nearest possible future the administrative procedures whereby the federal institutions concerned may attain the federal objectives pertaining to languages of work that are set out in the statement of 14 December 1972, and see that those institutions take all necessary steps as soon as possible so that the approximate target date of 1978 specified in the statement will not induce them to delay action unduly;

#### *Administrative Policy Directives*

(16) include, wherever applicable, in the administrative policy directives prepared by the Administrative Policy Branch, instructions relating to the requirements of the Official Languages Act;

#### *Information*

(17) intensify its information activity in the area of the official languages, bearing in mind the need for informing the public and, more particularly, federal public servants, of all aspects relating to implementation of the Official Languages Act and for acquiring to that end greater human and material resources than those available at the time of the study;

#### *Monitoring and Evaluation*

(18) as employer and manager, monitor the application of the measures which it causes the federal institutions concerned to take and which have a bearing, in one way or another, on the use of the two official languages both as languages of service and languages of work;

(19) in the federal institutions over which it has authority, monitor implementation of the recommendations made by the Commissioner of Official Languages as a result of a special study or the investigation of a complaint, and send to the Commissioner on request the results of such monitoring.

### *Reply by the Treasury Board Secretariat*

On 15 October 1973, the Commissioner sent to the Secretary of the Treasury Board the results of the study together with his recommendations. In a letter dated 28 November 1973, the Secretary commented on each of these 19 recommendations. In view of the importance of the role this agency plays in the field of the official languages, and also to enable the institution to report on developments since the study, the Commissioner has decided to reproduce below, *in extenso*, the text of this letter. This gesture does not imply outright endorsement of the explanations given by the Secretary: the Commissioner reserves the right to evaluate them in the light of the regular follow-up work carried out by his colleagues.

DEAR MR. SPICER:

Thank you for your letter of October 15, 1973 and the enclosed report and recommendations of a study you undertook, in February and March, 1973 of the Treasury Board Secretariat and the measures being taken or planned by the Treasury Board to foster the implementation of the Official Languages Act within the Public Service.

First let me say that I appreciate having your views on how the Treasury Board Secretariat could become more effective in ensuring that the Act is implemented consistently. I am particularly pleased that you are in agreement with steps that have already been or will be undertaken in the near future to make sure that Canadians, whether they are served by the Federal Service or work within it, can use the official language of their choice.

As you are aware, the time that you requested a study of the Treasury Board Secretariat be undertaken coincided with a period of substantial activity and build up of the Treasury Board's concern and interest in the official languages. The draft of the Treasury Board Guidelines on the Language Requirements of Positions had been circulated in early January, 1973, and was the subject of intense and fruitful discussions with both departments and bargaining agents. These Guidelines were formally adopted in March by the National Joint Council, on which both the employer and bargaining agents are represented. On April 1, 1973, the President of the Treasury Board approved the establishment of the Official Languages Branch reporting directly to me. This is totally in keeping with recommendations along the same lines which you sent to me in October. Since April, the resources assigned to this Branch were more than doubled.

I am citing the above as background to convey to you that the clear intent of the President of the Treasury Board, is to ensure that the Treasury Board Secretariat is in a position to take an active and constructive role in ensuring that the Official Languages Act is implemented effectively within the Public Service. Continuing attention is also being given, of course, to

the many related administrative problems to flow from the Act and the Government's Official Languages policies and programmes.

I would now like to respond with regard to the action that has been or will be taken on your recommendations.

#### *Recommendation 1(a)*

The following steps have been or will be taken to implement this recommendation.

1. Positions are being determined in all federal offices across Canada to ensure that, where there is a significant demand, services are available to the public in both official languages.
2. In certain parts of Canada, there are population concentrations of one or the other official language group. In such areas, service has often been only available in one official language. In the future, services will be made available in both official languages to determine, if possible, that the latent demand is sufficient to justify providing services in both English and French.
3. Departments will be asked to ensure that in offices where the public has contact with the federal government all signs, public notices and other means of communication in Canada and abroad are in both official languages. In cases where the demand is significant or the travelling public is concerned, the public will be referred, in the language of its choice, to persons who can provide information in both official languages. I might add that in a majority of offices across Canada and abroad, these services are already being provided. The Treasury Board Secretariat will be monitoring departments' performance and will continue, of course, to work closely with your Office as well as with the departments concerned to ensure that the spirit and intent of the Official Languages Act are followed.

#### *Recommendation 1(b)*

1. The government, as a matter of policy, identified bilingual geographic areas and situations where public servants may use both official languages at work. These areas will be reviewed after the report of the Bilingual District Advisory Board becomes available, to determine if changes should be made.
2. To allow public servants to work in either English or French in these bilingual areas, supervisory positions have to be identified as bilingual. This task will be completed by December 31, 1973. By the end of 1978, unilinguals who are in these positions will have an opportunity to undertake up to 12 months language training at public expense. Creating equality of opportunity in the use of both official languages as language of work will be progressive to 1978.
3. Public servants will only be able to work in the language of their choice if, for example, work instruments (manuals, procedures, administrative directives, signs, computer print-outs, etc.) are available in both official languages. I am not satisfied that this is now the case and during 1974, guidelines will be developed relating to the language of work within the Public Service and to other areas in the field of official languages, such as work instruments.



4. Work is also proceeding within the context of the Federal Identity Program to develop a standardized use of federal symbols and signage.

#### *Recommendation 2(a)*

Present and planned activities of the Treasury Board extend well beyond concerns for bilingual positions and French Language Units. The following list illustrates some of these concerns: matters related to the language of work and work instruments; the availability of professional and managerial training in French as well as a French-speaking recruitment capacity; internal department structures to implement the Official Languages Act, policies and programmes; development of the bilingual character of the National Capital Region; problems associated with translation and terminology; language training and retention; the review of all official studies on matters related to official languages; liaison with the public and private sectors on matters related to official languages; the development of statistical data and information systems related to official languages. In addition, the Secretariat works closely with the Public Service Commission on such matters related to recruitment, particularly of francophone personnel.

#### *Recommendation 2(b)*

This recommendation is supported. In addition to its own activities, my staff will continue to rely heavily on your Office for information on the areas where you feel such compliance is lacking.

#### *Recommendation 2(c)*

As I described earlier, this recommendation has been overtaken by events when action was taken in April 1973, to create the Official Languages Branch and increase its establishment to 47 man-years. Even further developments are expected in this area.

#### *Recommendation 2(d)*

The creation of the Official Languages Branch together with the steps outlined earlier is intended to carry out just what this recommendation suggests.

#### *(e) (f)*

The Policy and Planning Division of the Official Languages Branch has the official responsibility for evaluating progress and, where necessary recommending to the Treasury Board "remedial" measures and policies required to ensure implementation of the Act and government policies and programs related to official languages.

#### *Recommendations 3, 4, 5*

1. All Treasury Board guidelines and circulars relating to the official languages are under constant review to ensure their continued compatibility and up-dating.

2. Steps have already been taken with departments having operations abroad to ensure that Canada is effectively represented in other countries and that services are available in both official languages. The draft guidelines giving effect to this recommendation are presently under discussion with the departments concerned.

3. The question of providing specialized communications such as technical reports in both languages poses complex problems. Many of these reports are read only by one language group; the delay in translation (apart from problems of terminology) may seriously delay publication of important technical reports such as those originating from scientifically oriented departments. This matter will be examined within the context of the requirements of the Official Languages Act, bearing in mind the significant demand factor and problems of feasibility in providing such reports in both English and French.

4. When this matter has been studied, the Treasury Board will be asked to approve an appropriate policy with specific implementation deadlines. We would, of course, intend to discuss this matter with your Office prior to any recommendation being made to Ministers.

#### *Recommendation 6*

As already indicated, definite steps are now being taken so that all matters related to the implementation of the Official Languages Act and the government's Official Languages policies and programs can be monitored. As has already been established, your Office may have access to the results of such monitoring.

#### *Recommendation 7*

As the statement on December 14, 1972 by the President of the Treasury Board was directed at ensuring that Federal Government services were available to the public in both English and French, and at providing, as a general rule, for public servants to work in the language of their choice, by their very nature the principles adopted later by Parliament are intended to support and ensure the implementation of the Act, in particular until the year 1978, and thereafter.

#### *Recommendation 8*

In the administrative procedures giving effect to the principles, first priority in designation will be for those positions providing service to the public. Further, until such time as the person occupying such a position becomes bilingual, the department is obliged to use appropriate administrative arrangements to ensure immediate compliance with the Act.

#### *Recommendation 9*

As I have already indicated to you, the Operations Division of the Official Languages Branch will be following up with departments in the implementation of your recommendations and taking whatever steps are necessary to ensure compliance with the Act.

### *Recommendation 10*

Departments are presently identifying the language requirements of some 250,000 public service positions, be they bilingual, English essential, French essential or positions where either English or French will be used. The identification process will be completed by December 31, 1973. The information requested will be available in 1974.

### *Recommendation 11*

The necessary steps have already been taken and are outlined in Treasury Board Circular 1973-88 concerning the Language Requirements of Positions.

### *Recommendation 12*

The necessary provisions to give effect to this recommendation are already contained in Treasury Board Circular 1973-88. The departments' performance will be monitored in this respect.

### *Recommendation 13*

As indicated in my answer to recommendation 1(b), these areas will be reviewed in light of the Report of the Bilingual Districts Advisory Board and the Government's decision with regard to the report. Appropriate action will then be taken by the Treasury Board Secretariat.

### *Recommendation 14*

This matter will be covered in the draft policy presently being reviewed with departments having operations abroad.

### *Recommendation 15*

The Government's policy with regard to ensuring equality of status of both official languages as working languages within the Public Service is quite clear. I have already outlined some of the steps that will be taken to ensure that the specific deadline of 1978 set by the government is met. I am optimistic that much can be done well before that date to accomplish this objective. However, given the anticipated language training load, it is unrealistic to believe that a bilingual supervisory capacity can be developed much faster.

### *Recommendation 16*

A review will be undertaken of all Treasury Board administrative directives and circulars to determine where specific instructions related to the requirements of the Official Languages Act should be included.



### *Recommendation 17*

The establishment of the Information Programmes Group within the Official Languages Branch has recently been increased to 7 man-years and adequate financial resources have been allocated to the Group. Its information programmes are at various stages of development and include such activities as the preparation of a booklet for public servants and a handbook for the general public, information and training sessions and seminars, information kits, audio-visual material including films, and relations with governmental and non-governmental organizations. The Group is also concerned with the coordination of departmental information projects relating to the implementation of the Treasury Board Guidelines.

### *Recommendation 18*

As already indicated, the Official Languages Branch has been assigned and is already performing this monitoring and evaluation function with regard to the implementation of the Treasury Board Guidelines on the Language Requirements of Positions. This role will be expanded to cover all other elements of the Official Languages policy and programs.

### *Recommendation 19*

As implied in my answers to recommendations 2(b) and 9, your recommendations to departments and agencies will be studied and a follow-up system established to monitor departmental action and compliance with the Official Languages Act.

I trust these comments will be useful in the preparation of your annual report. If I can be of any further help, please do not hesitate to call on me.

Yours sincerely,

G. F. OSBALDESTON

## *COMPLAINTS*

### *File No. 675—Discrimination*

A French-speaking employee of the Board informed the Commissioner of difficulties he was experiencing in his work setting. He claimed that he had been the victim of racial discrimination. His superiors allegedly submitted unobjective appraisal reports on him in order to deny him a position the duties of which he was already performing. This position was apparently then offered to a unilingual English-speaking person even though the duties included serving a partly French-speaking public.

After studying the complaint, the Commissioner had to conclude that the alleged discrimination seemed to be of an ethnic rather than a linguistic nature and therefore did not constitute a contravention of the

Official Languages Act. He suggested that the complainant bring his case to the attention of the Appeals Branch of the Public Service Commission.

As for the appointment of a unilingual English-speaking person to the position, the Commissioner stated his willingness to study this aspect of the complaint if authorized to do so. However, the complainant did not authorize him to pursue the matter.

#### *File No. 955—Internal Communications*

An employee of the Board complained that the list of personnel directors of the various departments was written in English only.

The Board expressed the opinion that documents of this kind did not necessarily have to be published in both official languages, since their distribution was restricted to a few Board officials. However, it accepted the Commissioner's suggestion to publish the list in both languages.

#### *File No. 1652—Policy on Bilingualism*

A French-speaking correspondent took issue with the government's policy on bilingualism in the public service as expressed in the nine principles announced by the President of the Treasury Board on 14 December 1972. He complained that, whereas the Official Languages Act stated that "The English and French languages . . . possess and enjoy equality of status and equal rights and privileges as to their use in all the institutions of the Parliament and Government of Canada", these nine principles reinforced the privileged position of one language. In particular, he claimed that the principles would perpetuate the discriminatory language habits of those unilingual public servants, mostly English-speaking, who wanted to remain unilingual although their jobs were designated as bilingual.

The Commissioner informed the Secretary of the Treasury Board of the complaint. The Secretary replied that, in his opinion, the issues raised did "not appear to involve directly or relate directly to any matters dealt with in the Official Languages Act".

The Commissioner, however, believed that the implementation of some of the principles could contravene the provisions, spirit and intent of the Official Languages Act. While he hoped that the principles would not in fact violate any aspect of the Act, he reminded the Secretary of the Treasury Board that he (the Commissioner) still had a statutory duty, under Section 25 of the Act, to investigate any complaint which alleged a violation of the Act.

### *File No. 1657—Telephone Service*

A French-speaker who telephoned the Planning Branch received in reply a message recorded in English only, asking him to leave his number so that he could be called back.

The Board informed the Commissioner that, to avoid any further misunderstandings of this sort, instructions had been given for recorded messages to be bilingual.

## UNEMPLOYMENT INSURANCE COMMISSION—"Robin Hood" EVALUATION

*The Commissioner considers that he has received excellent co-operation from the Unemployment Insurance Commission in implementing the recommendations he made after a special study of the Moncton Office, and in settling complaints in general.*

In August 1973, the UIC informed the Commissioner that it had acted upon the four recommendations he made on its Moncton office concerning bilingualism directives, exterior signs, interior posters and signs, and bilingual telephone services.

During the last three years, 16 justified complaints have been lodged against the Commission, to which it has given immediate attention. The complaints dealt with the language of service and concerned the offices in Charlottetown, Bathurst, Moncton, Winnipeg, St. Boniface, Timmins, Sudbury and Cornwall. In most of the cases, the correspondents complained that they were unable to obtain information in French either over the telephone or in person at the above-mentioned offices.

The Commission promptly corrected these deficiencies by making lateral transfers within an office, by creating a new bilingual position or by recruiting new staff so as to enable the offices in places where there was a considerable French-speaking minority to provide service in French. In some cases where the demand was extremely small, the Commission made use of bilingual employees of the Department of Manpower and Immigration. The Commission also reminded its employees that they must always complete the French side of bilingual forms that were to be sent to French-speaking people and the English side of those to be sent to English-speaking people.

As a result of the Commissioner's intervention, the Unemployment Insurance Commission, which had been criticized for publishing employment opportunities only in English-language newspapers in Manitoba, agreed to make use of the French-language media for that purpose.



## *SPECIAL STUDY*

In December 1972, a study of the head office of the Unemployment Insurance Commission was undertaken to examine, in terms of bilingualism, the services this organization offers to the public. The principal reason for the Commissioner's interest in the Commission was the wide range of contacts it has with the public.

Because the administrative structures of the Commission were found to be relatively decentralized, the study team decided to visit the following representative offices: the regional offices in Montreal, Toronto, Winnipeg and Vancouver, and the district offices in Halifax, Hull, Toronto south, Sudbury and Edmonton.

Between December 1972 and 22 March 1973, the study group held interviews at head office in order to become familiar with the organization of the Commission, the nature of its work, its methods and the publics it served.

It then reviewed the Commission's policy on language of service, as well as all measures taken and anticipated by the various central services with respect to the two official languages.

By the end of the fiscal year, the group had visited one district office (Halifax) and one regional office (Montreal) and was preparing for its last meeting at the regional and head office levels. It had also begun to analyse the data and information obtained up to that point.

## *SPECIAL STUDY—MONCTON*

The purpose of this study was to evaluate the quality of bilingual services offered to the public by the offices of the Unemployment Insurance Commission in Moncton. In the course of its enquiries in the early summer of 1972, the study team focused its attention on the use of the two official languages in public-contact positions at the regional and at the district office. It was found that directives on bilingualism had been circulated in the regional office, but not in the district office. In the regional office, all signs, with the exception of a few older ones, were bilingual. All signs and posters in the district office were also bilingual, though the research team noted that posters were not displayed in such a manner as to ensure the equal visibility of the English and French versions to the public. In both the regional and district offices, all forms, publications and calling cards were prepared bilingually, either in a single version or in separate versions.

The regional office had a sizeable budget for publicity and made extensive and equal use of both French- and English-language media.

The district office, however, with no specific budget for advertising, rarely used the media. Contractual agreements entered into by either office were negotiated in the language of the contractor or leasing agent. Similarly, correspondence in both offices was answered in the language of the addressee. Both the regional and district offices claimed to identify their offices bilingually on the telephone, though the team observed, in its communications with those offices for purposes of the study, that on several occasions only English was used.

In terms of manpower, at the time of the study, 73 regular and 50 casual employees were on staff in the regional office, of whom 20 and 10 respectively were said to be bilingual. Of the regular employees, only nine held public-contact positions and five of those were bilingual. None of the casual employees occupied positions requiring them to deal with the public. At the district office, 18 of the 75 regular employees, and 31 of the 93 casual employees, were bilingual. The 18 bilingual regular employees held public-contact positions as did 29 of the 31 bilingual casual employees.

The regional office was responsible for recruitment up to the level of Programme Manager 4, while the district office's responsibility for recruitment stopped at the rank of Clerk 5. All job posters were bilingual and all advertisements appeared in both English and French newspapers.

Career potential, age, and responsibilities involving contact with the public had a particular bearing on the selection of candidates for language training in both offices. At the regional office five employees started French-language training in the last three years whereas only one employee took such training in the district office. However the latter hoped to place at least six or seven on language training during the 1972-73 fiscal year.

The study of the offices of the Unemployment Insurance Commission disclosed a commendable effort to comply with the provisions of the Official Languages Act. In view of certain deficiencies, however, the Commissioner recommended that:

- (1) the regional office keep all its directives on bilingualism up to date and that the district office immediately collect, from headquarters or the regional office, all pertinent directives on bilingualism in a file for the use of its employees and see that all public contact personnel are familiar with the provisions of the Official Languages Act;
- (2) all existing unilingual signs under the jurisdiction of the Moncton Regional Office be rendered bilingual by 31 March 1973;
- (3) all posters be immediately displayed in such a manner that both the English and French versions are equally visible to the public;
- (4) the senior officers see to it that at all times the receptionists identify their respective offices in the two official languages of Canada.

## COMPLAINTS

### *File No. 789—Charlottetown*

A French-speaking person from Prince Edward Island said that there was no bilingual service in the Charlottetown office.

The Commission explained to the Commissioner that all information brochures and all claim forms in the Charlottetown office were available in both official languages. However, the office staff did not recall receiving any applications for benefits in French for three years, except for one forwarded by the Montreal office. Since the nine employees were unilingual English-speakers, it was decided to call upon the Canada Manpower Centre next door to the Charlottetown Unemployment Insurance Office when a French-speaking person came in. This had occurred twice. The Moncton District Office would be responsible for written communications in French.

The Commission did not designate any bilingual positions in Charlottetown because it considered that the present arrangements were adequate for serving the public in both official languages. It could thus deploy its bilingual manpower resources in other sectors of the Atlantic Region where the demand was much greater.

### *File Nos. 774, 784, 785, 786—New Brunswick*

A number of French-speaking people complained that it was difficult to communicate in French with the Bathurst and Moncton Unemployment Insurance Offices. For example, some said that they had waited for half an hour on the telephone before the Moncton office answered in French. They reproached the Bathurst office with putting documents in the files of French-speaking clients which were written entirely in English.

The Commission stated that it had made lateral transfers in the Moncton office in order to make bilingual telephone clerks and information officers available to the public.

In the Bathurst office, all the employees except one were bilingual. Verbal and written communications with the customers were in the official language of the client's choice. Since the majority of the clients were bilingual, they could address the office either in French or in English. All documents placed on file were written in the language of the claim. Communications between the Bathurst and Moncton office employees were in English or French at the employees' choice. It was possible that a memorandum relating to an internal communication was placed in a file and it would not necessarily have been written in the language of the client. This practice could not be detrimental to the



client since all the documents he might require, as well as the verbal and written communications between him and the office, were in the language of his choice.

*File No. 1638—Cornwall*

A member of a French-language association sent a copy of a form he had received from the office of the Commission in Cornwall (Ontario). The form itself was bilingual in a tumble format, but the Cornwall office had used the English side instead of the French side.

The Commission explained that its Cornwall office always tried to serve the public in the official language of its choice. It added that nine of the office's employees in the administrative and foreign service category, and 15 of its 22 employees in the administrative support category were bilingual.

When answering incoming correspondence, the appropriate language to use was obvious. Difficulties arose when initiating correspondence with someone whose language preference was unknown. For example, a firm might have a partially French name such as "Lalonde Service Station", which did not provide clear indication of the language in which it carried out its business transactions. On the basis of its experience in places like Cornwall, the Commission believed that writing exclusively in French to such employers was, at best, risky, since most of them used English when conducting their business affairs. It therefore proposed, where the language preference was not known, to write in French only to employers whose business name was entirely French.

The Commissioner believed that this practice implied that the Cornwall office would write in English to employers whose business names were partly in French and partly in English. Such a practice might well lead to contraventions of the Official Languages Act. The fact that a French-speaking employer, who did business with both English- and French-speaking clients in the Cornwall area, chose a business name which was partly in English did not mean that federal institutions should always write him in English. Such an employer could legally insist that they communicate with him in French.

With this in mind, the Commissioner recommended that, in cases where an employer's business name was partly in English and partly in French, the Cornwall office should telephone him to determine which official language he would like to be used in correspondence.

*File No. 1520—Sudbury*

Two French-speaking complainants objected to the fact that employees at the Sudbury office of the Commission had spoken to them

in English over the telephone, even though they had used French when completing their forms.

The Commission apologized and said that this incident must have been the result of a mistake. The office in Sudbury had a high proportion of bilingual employees: five out of six senior officers, including the manager, 33 out of 68 employees in sections which had contact with the public, and all of the receptionists and telephone operators. Overall, 48 per cent of the employees in the office were bilingual.

To prevent a recurrence, the manager reminded the employees that they must always serve the public in the official language of its choice.

#### *File No. 1439—Timmins*

A French-language organization complained that it had received from the Timmins office a form letter filled out on the English side.

Investigation revealed that this was an oversight rather than an infraction of the Commission's policy concerning services to the public.

As a result of the Commissioner's intervention, the Timmins office reminded employees that it was essential to serve the public in the language of its choice.

#### *File Nos. 895, 1059—St. Boniface*

- A French-speaking person came to the Place Provencher office in St. Boniface and asked the hostess for information. She replied in French that no one from the office could help him, and advised him to go to the main office in Winnipeg. The complainant concluded that no one in the St. Boniface office could provide service in French.

The Commission informed the Commissioner that this office had been closed to the public since June 1971. The staff there consisted of inspectors whose job was to control claims, not to provide service to the public. This was what the hostess meant by her answer.

The Commissioner informed the complainant that it was merely a case of simple misunderstanding.

- A French-language company in St. Boniface complained that the Commission had sent it a circular letter in English.

The Commission informed the Commissioner that it had sent to its Winnipeg Regional Office a list of 211 organizations involved with Local Initiatives Programmes. To facilitate the recording of the claims at the end of the programmes, it was decided to write to the organizations to outline the procedure to be followed in submitting claims. The company in question was one of the four French-language employers to whom a letter in English had inadvertently been sent.

The Commission sent to the company, along with its apologies, a French version of the letter. The Commissioner, for his part, recommended that the Commission take the necessary measures to avoid errors of this type in the future.

#### *File No. 1350—Competition*

A complainant with limited English who had applied for a position as a stenographer at the Personnel Office of the Commission in Ottawa alleged that she was told there was a unilingual English ST 3 position available but, because her knowledge of English was quite limited, she was only eligible for a bilingual ST 1 position. The complainant could not understand why, as a French-speaker with some knowledge of English, she was limited to a position at the ST 1 level while unilingual English-speakers had access to superior positions.

The Commission explained to the Commissioner that the complainant held an ST 3 position which only required French, or an ST 1 position. The Commission employed unilingual English-speaking, unilingual French-speaking and bilingual stenographers at all levels.

Candidates for stenographic positions were referred to the Commission by Manpower Centres and the Public Service Commission and had to take a test to determine their level of competence in accordance with Public Service Commission standards.

If this test showed that the applicant was qualified and if there was an appropriate position available, a job offer was made. If, on the other hand, there was no position available at the candidate's level at the time, both she and the Public Service Commission were notified.

The results of the complainant's test, according to the Unemployment Insurance Commission, showed that she was capable of filling an ST 3 position which only required French, or an ST 1 position which required the use of English as well as French. Unfortunately, there were no positions at either of these levels available at the time and the complainant had been informed of this.

#### *File No. 1647—Correspondence*

A representative of a French-language association complained that a return address was printed in only one language on some of the Commission's envelopes.

The Commission informed the Commissioner that it was looking closely at a series of instructions relating to the general use of its identification symbol and texts that appeared on documents intended for the public; it was doing this to ensure that the instructions clearly reflected the requirements of the Official Languages Act and the need



for giving priority, in certain regions, to the language spoken by the majority of the population. The points raised by the complainant were to be taken into consideration during this review. The Commission said that it would inform the Commissioner of the results.

At the end of September 1973, the Commission had still not completed this study. Consequently, no new directives had been issued, and the envelopes complained about still bore unilingual addresses. The Commission, however, assured the Commissioner that directives were going to be issued forthwith.

#### *File No. 1305—Job Announcements*

An English-speaking Montrealer complained that an advertisement for a number of positions with the Commission appeared in French in *The Gazette*, an English-language newspaper.

After investigation, the Commissioner found that the Commission had provided a French text only, with a list of both French and English newspapers, to the Public Service Commission, which arranges publication of advertisements for staff.

The Unemployment Insurance Commission has since taken steps to make sure that the text of advertisements for staff in the appropriate language(s) accompanies the lists of newspapers in which these are to appear.

## URBAN AFFAIRS

### *SUMMARY*

The Ministry found it difficult to answer the Commissioner's questionnaire "in a simple, concise way". The Commissioner was relieved, however, to receive the Ministry's assurance of its "desire and intention to work within the requirements of the Act and its principles".

## VETERANS AFFAIRS—"The Way We Were"

### *EVALUATION*

*During the first three fiscal years, the Commissioner received eight complaints on this Department. It reacted positively to the infractions brought to its attention by taking corrective measures. The Commissioner is pleased with the Department's co-operation with his Office in the investigation of complaints.*

*The Department stated, in November 1973, that services were generally provided in both official languages and were "adequate".*

Answers to the questionnaire the Commissioner sent the Department revealed that Veterans' Affairs bilingualism programme had been in existence for more than four years. The Deputy Minister chairs the Management Committee on Bilingualism. The Adviser on Bilingualism co-ordinates implementation and oversees periodic evaluations. Almost all forms as well as publications and other printed material are reported to be bilingual. Signs and notices are bilingual "where applicable". Employees filling bilingual positions will receive language training by the designation date of December 1978.

The Department said that English and French enjoy equal status within its administration. It also pointed out that several French-language units had been established, and that employees have the option of using either language for internal communications. Most internal documents were also stated to be bilingual. Staff development courses, said the Department, are provided in "either language as required". The language of supervision, however, remains a problem, since supervisors in Montreal and the National Capital Region are mainly English-speaking.

## COMPLAINTS

### *File No. 1244—Unilingual Printed Form*

A French-speaking correspondent reported to the Commissioner that a departmental form supplied to a Quebec pharmacist was only available in English.

The Department said that the Treatment Services Branch, which was responsible for negotiations with the Association québécoise des pharmaciens propriétaires (Quebec Association of Independent Pharmacists) in Montreal, had stated that there was a verbal agreement that the English form would be used until the stock ran out. The Department added that either a bilingual or French version of this form was to be adopted during the next contract negotiations. It was pointed out that those responsible were in the process of drawing up a bilingual form which they would submit to the Association, and which would be distributed to interested parties once the agreement had been signed.

Notwithstanding these statements, the Commissioner recommended that the new form be put into use not later than 31 December 1972.

The Department later informed the Commissioner that the new bilingual form had been approved by the Association and was distributed to pharmacists in May 1973.

*File No. 1574—Signs*

A French-speaking complainant alleged that there were a number of unilingual English signs outside the Rideau Veterans Home at 363 Smyth Road in Ottawa.

The Department agreed to replace English signs outside and inside the building with bilingual signs.

*File No. 1648—Calling Cards*

A French-speaking complainant alleged that he could not find a word of French on a calling card which came from the Ottawa District Office of the Department.

The Department told the Commissioner that its policy on this matter was to use both languages and that the Ottawa District Office was awaiting a shipment of bilingual calling cards it had ordered earlier.

The Commissioner passed this information on to the complainant. The Department forwarded to the Commissioner a sample of the bilingual calling card.

\* \* \* \*

*COMPLAINTS NOT CONCERNING SPECIFIC FEDERAL INSTITUTIONS*

*1. Education—"Pontius Pilate Also Respected the Constitution"*

Several people wrote to the Commissioner during the year either to obtain information or to comment on the distribution or use of federal funds allocated for second-language teaching. Provincial governments have exclusive jurisdiction over education, but funds for second-language instruction are distributed among the provinces under a federal-provincial agreement. The Commissioner asked the complainants to get in touch with the Minister of Education in their province or with the Director of the Language Administration Branch of the Department of the Secretary of State. In addition, several people complained about the teaching of French or about related problems. As far as possible, the Commissioner referred these correspondents to the appropriate authorities.

*File No. 665*

A student inquired about the possibility of his receiving the financial assistance granted young English-speakers wishing to take French courses at Laval University.



The Commissioner sent him a folder from the Department of the Secretary of State explaining the bursary programme for summer language courses.

*File Nos. 687, 728, 756, 800, 803, 1002*

Residents of five provinces (Nova Scotia, New Brunswick, Ontario, Saskatchewan and Alberta) maintained that the grants given to these provinces each year by the Canadian Government through the Department of the Secretary of State for teaching in French and for teaching French as a second language were not being wholly used for this purpose.

The Commissioner sent the complainants a copy of the reports prepared by the provinces and presented to the House of Commons by the Secretary of State on 12 June 1973.

*File Nos. 797, 817*

- A French-speaker in Prince Edward Island deplored the fact that children of French-speaking Armed Forces personnel stationed at Summerside were not authorized to attend the regional French school, Evangéline.

As the correspondent did not lodge a formal complaint, no investigation was made.

- A French-speaker informed the Commissioner during an interview in Fredericton that an application for a grant had been submitted to the Department of National Defence to obtain secondary-level courses in French, in addition to the primary education programme already offered in the school district serving the Gagetown Base.

Before he could examine the question thoroughly, the Commissioner received a letter asking him not to take any action, whereupon the file was closed.

*File No. 1020*

An English-speaking student at Trent University informed the Commissioner of difficulties she had met in being considered for a bursary for the Opportunities for Youth Summer Language Programme in French at St-Pierre et Miquelon. The Commissioner advised her that bursary funds for the programme were provided by the Department of the Secretary of State and administered by the Ontario Ministry of Colleges and Universities.

*File No. 1050*

An English-speaking university student employed for the summer by a government department in Ottawa asked if second-language training could be made available after working hours because, by the time students arrived in Ottawa for summer employment, it was too late for them to enrol in university courses. He added that private lessons were too expensive.

The Commissioner told him that Algonquin College offered several summer programmes which might meet his needs. The cost of language training would not be reimbursed by the departments in the case of summer employees.

*File No. 1139*

A lady from Toronto asked why adults could not have free tuition in French as did students. She believed this was necessary if Canada was to become a bilingual country. The Commissioner referred her to the Ontario Minister of Education and to the Department of the Secretary of State.

*File No. 1799*

The French Committee of a Toronto school complained to the Department of the Secretary of State that, because of lack of funds, French instruction in the school was threatened. A copy of the letter was sent to the Commissioner. The Commissioner explained that he had no jurisdiction in the matter but offered his moral support.

*File No. 1866*

A resident of Alberta complained that financial assistance for teachers wishing to continue studies in French during the summer was offered only to those following non-credit courses. He said those teachers enrolled in credit courses or in programmes leading to a degree were ineligible for financial assistance. He felt it was unreasonable to exclude those who chose to take a degree at a French-language university and who would like to pursue their studies in the summer. The Commissioner explained that the matter did not come within his jurisdiction. He asked, however, to be kept informed of developments.

*New Brunswick*

*File Nos. 917, 1270, 1663*

- A resident of New Brunswick stated that the time allocated for the teaching of French in primary schools was inadequate and that the

children could not possibly become bilingual unless the system improved. The Commissioner forwarded the complaint to the provincial Minister of Education.

- A French-speaking correspondent alleged that a Department of Education brochure entitled *The Organization of Instruction for New Brunswick Schools* described the basic curriculum for junior high schools as including English, mathematics, science and social studies. He suggested it should read "mother tongue" rather than "English", in view of the duality of the educational system in that province. The complainant did not reply to the Commissioner's offer to refer the matter to the provincial Department of Education.

- A female student at the École Polyvalente Restigouche sent the Commissioner, for his information, a copy of a communication addressed to the Minister of Education for New Brunswick concerning problems encountered in bilingual schools.

The Commissioner replied that he was following closely the efforts being made by French-speakers throughout the country to preserve their language and their cultural identity.

## Ontario

*File Nos. 1192, 1571, 1674, 1851*

- A group of French-speaking parents in Mississauga informed the Commissioner that they wanted education in French for their children. They had approached the Peel County Public School Board, which had told them the classes were possible but transportation was not. Consequently, they had withdrawn their application and contacted the Separate School Board, which had refused to provide such classes for September 1972. At this juncture, the group wrote to the Premier of Ontario.

- A French-speaker drew the Commissioner's attention to a newspaper advertisement in which French courses offered by Conestoga College in Guelph appeared under the heading "Foreign Languages".

Since Conestoga College was not a federal institution, the Commissioner could not investigate this complaint. He commended the correspondent's initiative in pointing out to the College administration that French was one of Canada's two official languages.

- A French-speaking father from Windsor said that because of a new legal interpretation of separate school supporter which required both parents to be Roman Catholic, he could no longer support with taxes the Separate School Board which was educating his children in French. His wife was not a Roman Catholic so he would be obliged



to pay tuition fees for his children's schooling. He also took exception to the assumption that French-speakers were Roman Catholic and English-speakers Protestant. It turned out, however, that the way a computer had been programmed was the cause of his problem. Later on, the father wrote that his case had been settled.

- The students' council of the École secondaire St-Laurent in Cornwall, which was sharing a building with English-speaking students on shift basis, asked for the Commissioner's assistance in obtaining a separate French-language secondary school.

The Commissioner referred this request to the Bilingualism Coordinator of the Province of Ontario and has been kept informed of the action taken in this matter by the Ministry of Education.

### *Manitoba*

*File Nos. 856, 876, 924, 1642*

- An English-speaker from Winnipeg complained of the limited availability of bilingual education in Manitoba schools and of the high cost of obtaining such instruction privately. The provincial Minister of Education told the Commissioner that bilingual education was available in the metropolitan area of Winnipeg, although not in the schools of the Winnipeg School Division. Under legislation establishing bilingual education in Manitoba, if a child from a school division where such education was not available was able to gain admission to a school in a division where it was, the home school division was required to pay the receiving school division all extra costs involved. Children from the Winnipeg School Division were already attending schools in St. Boniface under this arrangement, free of tuition costs to their parents.

- A Winnipeg resident stated that local English-speaking children had no opportunity to use the French they learned in school. She suggested the creation of a provincial programme of shared academic and social activities for English- and French-speaking students in the Winnipeg area. The Commissioner brought her suggestion to the attention of the Manitoba Minister of Education.

- Another Winnipeg correspondent complained that after a few classes, the fees for a course in French were raised above the advertised price. An unofficial inquiry by the Commissioner revealed that the course had been organized without the knowledge or participation of the local school board, which subsequently decided to increase the fee

in order to bring them into line with those for similar courses offered in the area.

- A Member of Parliament forwarded to the Commissioner a complaint from an industrial arts teacher who had been dismissed by the St. Boniface School Division because he was not prepared to teach in French at two schools where French was to be the main language of instruction.

The Commissioner offered to refer this complaint to the provincial ombudsman and said he hoped that a way might be found to relieve the material hardship suffered by the teacher without derogating from the right of French-speaking children to receive instruction in the official language of their choice.

### *Saskatchewan*

#### *File No. 1176*

An English-speaking lady from Gravelbourg said that because her son was not French-speaking he had not been accepted in Grade 11 at a bilingual school which he had been attending for three years. The Commissioner referred her to the provincial Minister of Education.

### *Alberta*

#### *File No. 603*

A French-speaker asked the Commissioner's assistance in obtaining transportation for his children to a separate school where they could learn both French and English. The Commissioner agreed to forward the complainant's letter to the Alberta Minister of Education.

### *British Columbia*

#### *File No. 1276*

An English-speaking teacher of French wrote to the Commissioner about the inadequate system of teaching French in the province. He also wanted to know if French-speaking minorities could have legal recourse in federal courts against the provincial government.

With regard to rights of French-speaking minorities to legal recourse against provincial governments, the Commissioner stated that the Official Languages Act gave no guidance on the subject.

## 2. *Members of Parliament*—"Governing Is Planning"

*File Nos. 1293, 1308, 1494, 1704, 1767, 1810*

Some French-speakers complained that certain M.P.s sent them questionnaires or letters in English only and that they also made election speeches in this language only. One even criticized a French-speaking minister for replying in English to a question he was asked in this language in the House of Commons.

The Commissioner informed the complainants that the fact that a Member of Parliament wrote or spoke in English only did not, in itself, constitute a contravention of the Official Languages Act, because, in all such cases, the communications were not made on behalf of the Government or Parliament of Canada but rather on a personal basis. With respect to the minister's answering in English, the Commissioner pointed out that M.P.s were free to give replies in either official language.

## 3. *Private Enterprise*—"How Much Is That Doggie in the Window?"

During the year, the Complaints Service handled a large number of complaints against private firms; a few of them had been mistakenly made against federal institutions. Complaints from French-speakers and English-speakers were in the ratio of two to one. The Commissioner was not empowered by the Official Languages Act to investigate these complaints, because none concerned firms holding a concession from, or a contract with, the federal government. Nevertheless, with the written consent of the correspondents, he brought several complaints to the attention of the appropriate authorities.

Most of the complaints centred round lack of service of one kind or another in French. They included a grievance over the poverty of French in an advertisement and an account of difficulties and delays encountered in registering a pedigree dog in French. In Ottawa, a new mother found that the hospital had no Family Allowance registration forms in French. The Commissioner asked the Department of National Health and Welfare to send her a French form and requested the hospital to keep on hand adequate supplies of appropriate government forms in both official languages. Another Ottawa correspondent took exception to a unilingual sticker the Red Cross gave to blood donors, and a French-speaking Montrealer criticized a federally subsidized sports association for thanking him in English for a financial contribution. The Red Cross promised to order French stickers; the sports association failed to reply to the Commissioner's inquiry.



A Quebec college said it was asked by an Ontario company to send all future correspondence in English, the only language of the province, and a correspondent complained of a monthly statement in English received from an Ottawa company. A complaint from a creditor who had received a unilingual statement from a receiver in bankruptcy was referred to the Commissioner of Languages for Quebec.

A complaint of a unilingual stamp affixed by a travel agency in the National Capital Region on an Air Canada ticket was brought to the attention of the airline. Although the Commissioner considered the company blameless in the matter, he passed on to it certain suggestions the complainant made for modifying the stamps used by travel agencies. Air Canada agreed to write the agencies on the subject. There were two complaints of lack of service in French on CP Air's international flights. The company regretted that, because of union agreements and seniority rights, it could not provide bilingual personnel on all flights.

French-speakers also complained of the absence of service in French at the Ottawa bus station, in a Montreal supermarket, at a Moncton hotel, and on a sightseeing bus in Quebec City.

A complaint about a unilingual advertisement placed in the Manitoba press by the newly-created Canadian International Grains Institute brought to light the fact that, although related to several federal institutions, the Institute would probably be incorporated as a private association. The Institute nevertheless announced plans designed to meet the needs of French-speakers.

A French-language association, which incorrectly believed the federal government controlled Panarctic Oils Ltd., thought the company should publish its annual reports in both official languages. The company, in which the government is merely a shareholder, decided to publish its 1972 report in both languages.

A complaint concerning lack of French and delays in service from the Registration Division of the Canadian Kennel Club revealed that the Club, although incorporated under the Livestock Pedigree Act administered by the Department of Agriculture, was an autonomous organization. An abortive attempt at computerizing the Registration Division had resulted in a backlog of applications, but this was being cleared up and bilingual staff was being hired to communicate in either language with members.

The only English-speaker to complain of lack of service in English was a correspondent who told of the refusal by a lawyer in Hull to provide a translation of a French document relating to the purchase of some of her property. Her own lawyer had read the document and approved it from a legal standpoint. In the end she agreed that an Ontario

lawyer would probably be just as unwilling to furnish free French translations of routine legal documents.

The second largest category of complaints dealt with unilingual labels, mainly on food products, and instructions. Complaints were evenly divided between French-speakers and English-speakers and covered items ranging from a unilingual French wrapper on a chocolate bar to a unilingual English instruction manual accompanying a foreign car. Nearly all of these complaints were referred, with the complainants' consent, to the Consumer Services Branch of the Department of Consumer and Corporate Affairs in Ottawa, the Commissioner of Languages for Quebec or the Service de la loyauté des ventes (Fair Sales Practices Service) of the Quebec Government.

A few complaints had to do with publications. An English-speaker thought that contributors to a new scientific journal, which he wrongly believed to have received a federal grant, should be allowed to publish in French as well as English. The Commissioner was able to enlighten him and also to give him information he had sought regarding bilingual glossaries. A Bathurst resident appealed for help in getting a local newspaper to resume publishing a French-language section. The Commissioner passed on the appeal to the editor.

Three complaints concerned language of work or employment practices. A correspondent charged that policy at an Ottawa hospital forbade French-speaking personnel to converse in French while on duty. An English-speaking Quebecer detected subtle racial discrimination in an advertisement inserted in a Montreal newspaper by an English-language Ontario university; it sought a bilingual secretary whose first language was English, but who could talk with ease in French. The correspondent failed to respond to the Commissioner's offer to refer the complaint to the Ontario Human Rights Commission. The personnel officer of a hospital serving a largely French-speaking Ontario community reported that the hospital wished to hire a bilingual person to fill a position it considered bilingual, but the union wanted a unilingual English-speaker, already on the staff, to be given the post. With the complainant's consent, the Commissioner forwarded her letter to the Ontario Co-ordinator on Bilingualism, who was later assured by the Chairman of the Ontario Human Rights Commission that the hospital was not contravening any law in requiring a bilingual competence for the position.

Finally, two correspondents sought the Commissioner's assistance in obtaining language training. An English-speaking member of the Ottawa Division of the Corps of Commissionaires asked whether he could enrol in a Public Service Commission French language course. He was referred to the Adjutant of his Division, which maintained a list

of members desirous of undertaking French language training. A Quebecer who was denied leave without pay to study English authorized the Commissioner to approach the president of his company on his behalf. He later wrote to say he had been granted the necessary leave.

#### 4. *Provinces*—"Ah, But Where Exactly Is the Rubicon?"

During the year, the Commissioner received several complaints regarding provincial institutions or services. Since most of the problems did not come under his jurisdiction, he referred them to the appropriate authorities when he thought this advisable.

#### *Prince Edward Island*

*File No. 799*

A French-speaker told the Commissioner that the provincial government was not paying sufficient attention to the French fact when recruiting employees to work in regions where the majority of the population spoke French. The complainant felt this attitude was unfair to Acadians.

The Commissioner subsequently learned that the complainant had not intended to lodge an official complaint; the file therefore had to be closed.

#### *New Brunswick*

*File Nos. 1102, 1551*

- A French-speaker informed the Commissioner that the Department of Health had replied in English to a letter she had written in French.

The Department forwarded the Commissioner a copy of a letter sent to the complainant, in which it apologized for the oversight and assured her that steps would be taken to avoid a repetition of such incidents in the future.

- A French-speaker reported that the highway signs in the vicinity of Kouchibouguac National Park were in English only.

A few days later, the complainant informed the Commissioner that the unilingual English signs were the property of the Government of New Brunswick. He therefore withdrew his complaint.



## Quebec

File Nos. 928, 947, 966, 1353, 1138, 1292

- A French-speaking Montrealer asked for the Commissioner's opinion on various questions regarding the status of the French language in Quebec.

The Commissioner sent him a copy of his *First Annual Report* and suggested that he read the article entitled "A realistic view of Quebec's role", on pages 4-5, for answers to his questions.

- An English-speaker complained that the language requirements of competitions to recruit provincial public servants had the effect of excluding English-speaking people.

The Commissioner asked the complainant for authorization to refer his grievances to the Commissioner of Languages for Quebec and the Public Protector.

- An English-speaker living in Quebec and a French-speaker from Ontario criticized the language policy of the Quebec Government. The former claimed that the government wished to establish French as the only language, and the latter deplored its increased efforts to eliminate English. Both emphasized that road signs on the Trans-Canada Highway, built with financial assistance from the federal government, were in French only, particularly in the Montreal area.

The Commissioner brought these complaints to the attention of the Commissioner of Languages for Quebec.

- An English-speaker from British Columbia sent the Commissioner a newspaper clipping which reported the dismissal of a unilingual English-speaking government employee by the Quebec Government.

He said that he was convinced the promotion of French in Canada was "illogical, objectionable, unworkable, discriminatory and unreasonably expensive", and that it would have disastrous consequences for the unity of the country.

The Commissioner informed the complainant that the problems raised by his questions were the responsibility of the provincial government.

- A correspondent was indignant that a Quebec Superior Court judge had handed down a judgment in English only whereas the parties to the dispute had been French-speaking. The Commissioner brought this complaint to the attention of the Commissioner of Languages for Quebec.

*File Nos. 1229, 1231, 1524, 1833, 1841*

- A resident of Hull said that the unilingual English summons he received to appear before a Justice of the Peace, on a charge of unlawful parking on federal government property, should have been in both official languages or in French.

The Commissioner pointed out to the complainant that, although the offence had been reported by the Royal Canadian Mounted Police, the summons had been issued by a judge of the Court of Sessions of the Peace in Hull, a court under provincial jurisdiction. The Commissioner added that he understood that the practice in Hull was to issue a summons in the official language of the defendant, when this was known. He offered to pass the complaint on the Quebec authorities, but the complainant did not reply.

- An inmate serving a sentence for robbery in a Quebec prison asked the Commissioner for information regarding his legal rights and about legal aid.

With the complainant's authorization, the Commissioner sent a copy of his letter to the Quebec Public Protector.

- An English-speaking person from Quebec complained about her personal income tax problems with the provincial Taxation Department and about bilingualism in general within the province.

The Commissioner provided the names of five persons to whom the correspondent could address herself.

- A keen fisherman from Ottawa complained of difficulty in obtaining instructions from the Quebec Department of Tourism on how to get a map of fish-stocked lakes. He said he could not make sense of a French address which was spelt out to him on the telephone. The Commissioner helped him to identify the agency.

- A resident of western Quebec said she asked if the local motor vehicle licence bureau could give her information in English. This could not be provided, so she obtained it in English from City Hall in Hull. When she complained to the City Hall that no one at the local licence bureau could help her in English, she received a curt reply. The Commissioner explained to her that French was the normal language of provincial authorities in Quebec: she could hardly expect a small local office to provide service in English.

*Ontario*

*File Nos. 860, 912, 999, 1025*

- A bilingual employee of the Ontario Department of Social and Family Services said that because her supervisor was unilingual

English-speaking, she was obliged to translate from English to French. She believed she should be remunerated for the additional work required. The Commissioner offered to refer the complaint unofficially to the Ontario Minister of Social and Family Services, but the complainant did not reply.

- A French-speaking lawyer in Hull said that Forms 2 and 8 of the Office of the Registrar General, for reregistering the birth of an adopted child, were in English only. He asked if they could be made available in French for a unilingual French-speaking couple engaged in adoption proceedings in Ontario. With the complainant's permission, the Commissioner forwarded the complaint to the Ontario Government, which acknowledged it but ignored all subsequent reminders.

- A representative of a French-language association in Ontario drew the Commissioner's attention to a unilingual English notice at Algonquin College, Ottawa, concerning a programme of grants offered by the federal government for summer language courses.

With the complainant's agreement, the Commissioner informed the Department of the Secretary of State and the Director of Grants of the Ontario Ministry of Colleges and Universities, which administered the programme. The Ministry explained that the notice was put out in haste before the end of the school year and that, owing to an omission on its part, the French version had not been published. Shortly afterwards, the Director sent the Commissioner a copy of the new bilingual notice prepared by the federal government.

- A correspondent told the Commissioner of her intention to bring a complaint against the Ontario Ministry of Transportation and Communications for not providing an examiner with knowledge of French, as she had been assured, for her driver's licence test in Ottawa.

Since the complainant did not respond to the Commissioner's suggestion that she lodge an official complaint with the appropriate authorities of the Province of Ontario, the file was closed.

#### *File Nos. 1155, 1188, 1439*

Three French-speakers complained that they had received summonses written only in English from the Provincial Court of Ontario in the districts of Ottawa-Carleton and Sudbury.

The Commissioner informed them that he had already brought this matter to the attention of the provincial authorities who had replied that



summonses addressed to French-speakers by the Provincial Court would soon be accompanied by an explanatory note in French.

*File Nos. 1294, 1771*

- A federal public servant drew the Commissioner's attention to a document stating that a judge of the Provincial Court of Ontario would in future refuse to endorse warrants of commitment unless they were written in English.

The Commissioner informed the complainant that such a refusal did not constitute a violation of the Official Languages Act and suggested that he look specifically at Section 11 (4) of the Act.

- A French-speaker from Ontario complained that Ontario Provincial Police officers spoke only English. An officer who stopped her on Highway 17 was unable to answer her in French and merely handed her a report written in English.

After receiving the complainant's authorization, the Commissioner referred this complaint to the appropriate provincial authority, which sent her its comments.

*Saskatchewan*

*File No. 735*

A French-speaker suggested to the Commissioner that French be considered an official language in Saskatchewan courts.

The Commissioner replied that the suggestion did not constitute a complaint under the Official Languages Act. He reserved the right to give a legal opinion in cases where he had to decide whether the Act had been contravened.

*British Columbia*

*File No. 1619*

A French-speaking correspondent from the Yukon said he would be unable to plead his case in French when being tried for an offence he had committed in British Columbia.

The Commissioner informed him of his right to give evidence in the language of his choice, but he could not guarantee that the trial could be held in French. The Commissioner also advised him of his right to retain a lawyer.

## 5. *Public Service Unions*—"All for One and One for All"

### *File Nos. 862, 869—Public Service Alliance of Canada*

- A French-speaker telephoned the National Component of the Alliance and was answered in English only. Since he insisted on speaking French, he had to wait a while before someone who could speak French took his call.

- A public servant with the Department of Agriculture complained that, in the local to which he belonged, French was not used in notices and reports or during meetings.

The Alliance was not covered by the Official Languages Act but the Commissioner unofficially referred these complaints to its president, who assured him that he would bring them to the attention of those concerned and ask them to take the necessary steps to remedy these situations as far as possible.

### *File No. 1149—Professional Institute of the Public Service of Canada*

A correspondent reproached the Institute with the poor quality of the French in a membership application form.

The Commissioner did not investigate this complaint formally because it concerned a private organization. However, the Institute acknowledged in a letter to the complainant that the quality of its translations could be improved.

### *File Nos. 1355, 1601—Ottawa Public Service Recreational Association*

Two residents of the National Capital Region criticized the Association for presenting its programme for the 1972-73 Fall-Winter seasons in English only, and for identifying departments only with English initials on hockey team sweaters.

The Commissioner informed the complainants that the Association, as a private institution, was not subject to the Official Languages Act. However, with their authorization, he unofficially brought their complaints to the Association's attention.

Concerning the first complaint, the Association informed the Commissioner that the programme was available in both languages.

As regards the second complaint, the Commissioner suggested that the Association encourage its membership to adopt an identification system more representative of its bilingual character. The Association replied that most of the teams were identified by the initials by which the departments were known. Furthermore, during the matches the Association's official announcer made his commentary and announced goals and penalties in both languages.

6. *Telephone Services*—"Mr. Watson, Come Here; I Want You."  
—Alexander Graham Bell.

The Complaints Service handled 11 complaints against Bell Canada and four other telephone companies, nine of them from French-speakers and two from English-speakers. Ten of the complaints alleged lack of service in French and the eleventh questioned the employment practices of a company. The Commissioner was not authorized under the Official Languages Act to investigate these complaints. Nevertheless, whenever possible, he referred them to the appropriate authorities, with the complainants' permission.

Six complaints criticized Bell Canada's French-language service or the lack of it.

- An English-speaker complained of unilingual English operating instructions on some pay telephones in the National Capital Region. The company agreed to replace the English instructions, the result of an oversight, with bilingual ones.

- A Quebecer requested the Commissioner's assistance in getting the company to refrain from anglicizing the name of his municipality on its bills. The company agreed to correct the error which it blamed on a computer.

- A correspondent found it discriminatory that the company charged extra to list a business under a French heading in the Yellow Pages of the Ottawa directory. The company told the Commissioner that its listing practices depend largely on personal choice: a business subscriber is allowed one free alphabetical listing in the White Pages and one free listing under a French or an English heading in the Yellow Pages. If the subscriber wishes a listing under both headings in the Yellow Pages he must pay for one; and if the second listing is in a different name—a translation, for instance—he must also pay for a second listing in the White Pages, the directory being a cross-reference book intended for the convenience of all the company's customers. The Commissioner passed on this information to the complainant.

- Three complaints alleging a lack of French telephone service in Ottawa, Windsor and Blind River, Ontario, were brought to the company's attention. In its replies to the Commissioner, Bell Canada outlined its procedures for answering calls in all three places and mentioned that, although there were not enough bilingual candidates available for all of its operators to be bilingual, 80 per cent of the 320 operators in the Ottawa-Hull region spoke French and English; that it had 22 bilingual employees in Windsor, where 17 per cent of the staff hired since January 1972 were bilingual; and that it was doing everything possible



to furnish services in both official languages in the Blind River region, where, of its 21 operators and supervisors, three were fluently bilingual, one sufficiently so to carry on normal working conversations, and six able to translate requests for numbers adequately.

The Commissioner suggested that in the Blind River region operators answering the telephone should identify themselves in English and French ("Operator-Téléphoniste"), that unilingual English-speaking operators referring French calls to a colleague should first ask the caller in a short French phrase to wait ("Un instant, s'il vous plaît"), and that operators referring French calls to Ottawa should do so in a simple French phrase (for example, "705, Blind River, abonné francophone à l'appareil"). The company said it could not adopt these suggestions because the proposed procedures would create delays. The Commissioner expressed the hope that the company would reconsider this decision.

Four complaints alleged lack of French service by other telephone companies and a fifth objected to the employment policies of one of these companies. In each case the Commissioner offered to bring the complaint unofficially to the attention of the proper authorities.

- A correspondent from Prince Edward Island complained that the Maritime Telegraph & Telephone Company Limited (owner of Island Telephone Company) was not adequately serving its French-speaking public.

- Two French-speakers sent the Commissioner a copy of a letter they had written to Saskatchewan Telecommunications deploring the absence of French telephone services in the province. The Commissioner brought the matter to the attention of the Trans-Canada Telephone System, of which the company was a member, and invited it to take the necessary measures to convince its members of the importance of furnishing services in English and French throughout the country.

- A request from an Alberta couple for help in obtaining telephone services in French was referred to the provincial Minister of Telephones and Utilities, who wrote direct to the correspondents about the difficulty of obtaining bilingual operators.

- A correspondent from Victoria, B.C., reported that whenever he tried to telephone Montreal direct an operator asked for his telephone number in English and would angrily hang up if he gave it in French. The complainant did not avail himself of the Commissioner's offer to refer the complaint to the British Columbia Telephone Company and the Trans-Canada Telephone System.

- An English-speaker from Vancouver alleged that the British Columbia Telephone Company, which handles federal government calls through its Centrex switchboard, was replacing English-speaking employees with French-speakers newly arrived in the province. The company, she said, had informed her that the government insisted the switchboard be staffed at all times with some French-speaking personnel, but two federal agencies had assured her these employment practices were not government policy.

She added that, if the company considered it necessary to have a bilingual service, it should give an opportunity "to its own employees to learn French before bringing people in off the street".

The Commissioner explained to the complainant his mandate under the Official Languages Act and offered to forward her letter unofficially to the B.C. Telephone Company. In the meantime, the correspondent had also complained to a federal minister. He in turn referred the letter to the federal Minister of Communications, who replied, among other things, that his Department had asked members of the Trans-Canada Telephone System, which services the federal government's switchboard complex, to implement institutional bilingualism; it had specifically requested the B.C. Telephone Company to provide a bilingual capability, preferably by having one attendant on duty during normal working hours. He added that it was not the Department's intention "to staff the switchboard complex with bilingual operators but only to provide effective service to the public according to the Official Languages Act". In the case of Vancouver, this would mean that one out of five employees would be bilingual.

On receiving copies of this correspondence, the Commissioner informed the complainant that the action taken by the B.C. Telephone Company was the result of an arrangement between the Department of Communications and the Trans-Canada Telephone System, of which the company is a member, to enable the Canadian public to telephone federal agencies in the official language of its choice. He added that the administrative decisions taken by the company in implementing the programme were beyond his jurisdiction under the Official Languages Act, unless they failed to achieve its objectives.

*An Odious Ode to Joy*

"God help the M.P.s and the readers too!"  
Exclaims our Muse. "Surely this will do.  
You've written the report, explained the law . . .  
Though few will say you've done it without flaw."

"We've finished," said we to the lyric wench,  
"Let them applaud or hiss when we expose  
The might of English or the grace of French.  
We could not bear to end the year in prose."



## Appendix

### OFFICIAL LANGUAGES IN THE PUBLIC SERVICE OF CANADA

*Resolution adopted by Parliament in June, 1973*

That this House

- (i) aware that, as provided in the Official Languages Act, the English and French languages possess and enjoy equality of status and equal rights and privileges as to their use in all the institutions of the Parliament and Government of Canada; cognizant that it is the duty of departments and agencies of the Government of Canada to ensure, in accordance with that Act, that members of the public can obtain available services from and communicate with them in both official languages; while recognizing that public servants should, as a general proposition and subject to the requirements of the Official Languages Act respecting the provision of services to the public, be able to carry out their duties in the Public Service of Canada in the official language of their choice;

DO HEREBY RECOGNIZE AND APPROVE  
the following Principles for achieving the foregoing:

- (1) that positions which are seen, under present circumstances, as requiring the knowledge and use of both the French and English languages will be identified, and then designated, as bilingual in the course of the period ending December 31, 1978;

- (2) that positions will also be identified where English is an essential requirement of the job, where French is essential, or whether either French or English may be used;
- (3) that a knowledge of English and French is one of the elements of merit in the selection of candidates for bilingual positions;
- (4) that competitions for bilingual positions will be open both to bilingual candidates and unilingual candidates who have formally indicated their willingness to become bilingual;
- (5) that competitions for unilingual positions will continue to be open to unilingual or bilingual candidates who meet the language requirements of the job;
- (6) that unilingual incumbents of bilingual positions may elect to become bilingual and undertake language training or transfer to another job having the same salary maximum, or, if they were to decline such a transfer, to remain in their positions even though the posts have been designated as bilingual;
- (7) that employees who, as of April 6, 1966, had at least ten years of continuous service and who, since that date, have been employed continuously in the federal Public Service, will be entitled to apply for any job that has been identified for future designation as bilingual without having to indicate their willingness to become bilingual;
- (8) that unilingual French-speaking and English-speaking persons from outside the Public Service who are willing to become bilingual may apply for bilingual positions open to public competition;
- (9) that language training, at public expense, will be provided to unilingual public servants as well as to persons who are appointed to the Public Service to bilingual positions;

DO FURTHER APPROVE the Government of Canada, and in particular, the Treasury Board and the Public Service Commission, taking the measures required to give effect to the aforementioned Principles; and

- (ii) DO FURTHER APPROVE the taking of measures, after consultation with employee representatives, designed to produce a greater use of the French language at all levels in the Public Service,

through increasing, where practical, the number of French Language Units, through further recruitment efforts by the Public Service Commission, through training programs offered in the French Language and by developing proposals, in conjunction with the Governments of the Provinces of Ontario and Quebec, to enhance the bilingual character of the National Capital region, thus helping to realize the objective of achieving, within the merit principle, full participation in the Public Service by members of both the anglophone and the francophone communities.







iii) APPROUVE ENFIN que des mesures soient prises, après consultation auprès des représentants des employés, visant à augmenter l'utilisation de la langue française à tous les niveaux de la Fonction publique, en augmentant, là où c'est possible, le nombre des unités de langue française, en intensifiant les efforts de recrutement de la Commission de la Fonction publique, en offrant des programmes de formation en français et en élaborant avec les gouvernements de la province de l'Ontario et du Québec, des projets visant à rehausser le caractère bilingue de la Région de la capitale nationale, facilitant ainsi la réalisation, dans le cadre du principe du mérite, de l'objectif visant à assurer la pleine participation à la Fonction publique des membres des collectivités anglophone et francophone.



(2) les postes où l'anglais est une exigence essentielle du travail seront également identifiés, de même que les postes où le français est essentiel et ceux où le français ou l'anglais peuvent être utilisés au choix;

(3) une connaissance du français et de l'anglais est un des éléments constitutifs du mérite dans la sélection des candidats aux postes bilingues;

(4) les concours aux postes bilingues seront ouverts tant aux candidats bilingues qu'aux candidats unilingues qui ont officiellement indiqué leur volonté de devenir bilingues;

(5) les concours aux postes unilingues continueront d'être ouverts aux candidats unilingues ou bilingues qui satisfont aux exigences linguistiques de l'emploi;

(6) tout titulaire unilingue d'un poste bilingue peut choisir d'entreprendre une formation linguistique et de devenir bilingue, ou d'être muté à un autre poste dont le salaire maximal est le même que celui du poste dont il était titulaire; ou encore, s'il devait refuser une telle mutation, de conserver son poste même si celui-ci a été désigné comme bilingue;

(7) les employés qui, le 6 avril 1966, avaient à leur crédit dix années consécutives de service dans la Fonction publique fédérale et qui y ont travaillé de façon continue depuis, auront droit de postuler n'importe quel poste qui a été identifié en vue d'être désigné ultérieurement comme bilingue sans avoir à indiquer leur volonté de devenir bilingues;

(8) les unilingues francophones et les unilingues anglophones à l'extérieur de la Fonction publique qui expriment leur volonté de devenir bilingues peuvent postuler des postes bilingues faisant l'objet de concours publics;

(9) la formation linguistique sera offerte, à même les fonds publics, aux fonctionnaires unilingues ainsi qu'aux personnes venant de l'extérieur de la Fonction publique qui sont nommées à des postes bilingues;

APPROUVE EN OUTRE que le gouvernement du Canada, et, en particulier, le Conseil du Trésor et la Commission de la Fonction publique prennent les mesures nécessaires pour mettre en œuvre les principes susmentionnés; et

# LES LANGUES OFFICIELLES DANS LA FONCTION PUBLIQUE DU CANADA

*Résolution adoptée par le Parlement en juin 1973*

Que la Chambre,

(1) sachant que, comme le stipule la Loi sur les langues officielles, les langues française et anglaise ont un statut, des droits et des privilèges égaux quant à leur emploi dans toutes les institutions du Parlement et du gouvernement du Canada;

sachant qu'il incombe aux ministères et organismes du gouvernement du Canada de veiller à ce que, conformément à ladite Loi, le public puisse communiquer avec eux et obtenir leurs services dans les deux langues officielles;

tout en reconnaissant que les fonctionnaires devraient pouvoir, en règle générale, et sujet aux dispositions de la Loi sur les langues officielles relatives aux services à donner au public, accomplir leurs fonctions au sein du gouvernement du Canada dans la langue officielle de leur choix;

RECONNAISSE ET APPROUVE par les présentes les principes suivants en vue d'atteindre les objectifs susmentionnés :

(1) les postes qui sont considérés, dans les circonstances actuelles, comme exigeant la connaissance et l'usage du français et de l'anglais seront d'abord identifiés et ensuite désignés comme bilingues au cours de la période se terminant le 31 décembre 1978;





*Envoi (aux calendes grecques ?)*

Même s'il a été mis souvent sur l'enclume  
Ce rapport nous semble à la longue un gros volume.  
Mais que donc voulez-vous ? Il nous faut dire tout.  
Maudir ! nous en sommes enfin venus à bout  
Sans être trop méchants et sans finir en prose,  
Dispensant les deux langues en égale dose.

\* \* \*

• Un correspondant de Victoria rapporte que chaque fois qu'il a appelé à Montréal directement, une téléphoniste s'est interposée pour lui demander en anglais son numéro de téléphone; elle a raccroché lorsqu'il l'a donné... en français. Le plaignant n'a pas donné suite à l'offre du Commissaire de transmettre sa plainte à la British Columbia Telephone Company et au Réseau téléphonique transcanadien.

• Une anglophone de Vancouver prétend que la British Columbia Telephone Company, qui dessert tous les postes téléphoniques gouvernementaux à partir de son standard Centrex, est en train de remplacer ses employées anglophones par des francophones nouvellement arrivées dans la province. Selon elle, la société l'aurait informée que le gouvernement exigeait la présence constante d'un personnel bilingue au standard, bien que deux organismes fédéraux l'aient assurée que ces pratiques n'étaient pas conformes à la politique gouvernementale.

Elle ajoute que si la société admet la nécessité de donner aux abonnés un service bilingue, elle devrait fournir à ses propres employées l'occasion d'apprendre le français plutôt que de recruter n'importe qui. Le Commissaire a expliqué à la plaignante les responsabilités qui lui incombaient aux termes de la Loi sur les langues officielles et il a proposé de transmettre non officiellement sa lettre à la British Columbia Telephone Company. Entre-temps, la plaignante s'était aussi adressée à un ministre fédéral qui avait envoyé la lettre au ministre fédéral des Communications. Celui-ci a fait valoir, entre autres, que son ministère avait demandé au Réseau téléphonique transcanadien, qui assurait le fonctionnement du réseau téléphonique du gouvernement fédéral, de mettre le bilinguisme institutionnel en application : plus particulièrement, le ministère avait demandé à la British Columbia Telephone Company d'assurer une capacité bilingue en ayant, de préférence, une téléphoniste bilingue de service durant les heures de bureau. Il a ajouté que l'intention du ministère n'était pas d'exiger que toutes les téléphonistes soient bilingues, mais plutôt de veiller à donner au public un service efficace et conforme aux exigences de la Loi sur les langues officielles. A Vancouver, cela signifiait qu'une employée sur cinq devait être bilingue.

Sur réception de cette correspondance, le Commissaire a informé la plaignante que les mesures prises par la British Columbia Telephone Company, à la suite d'une entente survenue entre le ministère des Communications et le Réseau téléphonique transcanadien dont la société fait partie, visaient à permettre aux Canadiens de téléphoner aux organismes fédéraux dans la langue officielle de leur choix. Il a ajouté que les décisions administratives prises par la société pour appliquer ce programme n'étaient pas de son ressort aux termes de la Loi sur les langues officielles sauf si elles contrecarraient l'objectif visé.

que malgré la pénurie de candidates bilingues, qui l'empêchait de pourvoir à tous les postes, 80 p. 100 des 320 téléphonistes de la région Ottawa-Hull parlaient le français et l'anglais; à Windsor, vingt-deux des employés étaient bilingues ainsi que 17 p. 100 du personnel engagé depuis janvier 1972; dans la région de Blind River, la société Bell Canada tentait d'assurer le service dans les deux langues officielles : sur vingt et une téléphonistes et surveillantes, trois étaient bilingues, une quatrième l'était suffisamment pour recevoir les appels des abonnés et six autres pouvaient comprendre les demandes de numéros de manière satisfaisante.

Pour la région de Blind River, le Commissaire a proposé que les téléphonistes répondent en anglais et en français « Operator-téléphoniste », que les téléphonistes unilingues anglophones disent simplement à l'abonné « Un instant, s'il vous plaît » quand elles devaient passer l'appel à une collègue, et que celles qui devaient transmettre à Ottawa l'appel d'un abonné de langue française se contentent de dire « 705, Blind River, abonné francophone à l'appareil ». La société a informé le Commissaire qu'elle ne pouvait donner suite à ces suggestions parce qu'elles occasionneraient des délais. Celui-ci a exprimé l'espoir qu'elle réviserait sa décision.

Quatre correspondants rapportent la manque de services téléphoniques en français de quatre autres sociétés et un cinquième s'élève contre les pratiques d'emploi de l'une de ces sociétés. Dans chaque cas, le Commissaire a proposé de porter officiellement la plainte à la connaissance des autorités en cause.

• Un correspondant de l'Île-du-Prince-Édouard se plaint de ce que la Maritime Telegraph & Telephone Company Limited (propriétaire de Island Telephone Company) ne donne pas un service satisfaisant à ses abonnés de langue française.

• Deux francophones transmettent au Commissaire le double d'une lettre envoyée à la Saskatchewan Telecommunications dans laquelle ils déplorent la manque de services téléphoniques en français dans la province. Le Commissaire a porté la plainte à l'attention du Réseau téléphonique transcanadien, dont la société faisait partie, en l'invitant à prendre les mesures voulues pour convaincre ses membres de la nécessité d'assurer à l'ensemble de la clientèle des services dans les deux langues officielles.

• Une demande reçue d'un ménage de l'Alberta pour l'obtention de services téléphoniques en français a été transmise au ministre des Communications et des Services publics de la province. Celui-ci dans sa réponse aux correspondants leur a exposé le problème qui se posait pour recruter des téléphonistes bilingues.



6. *Téléphone* — « Monsieur Watson, venez, j'ai besoin de vous. »  
Alexander Graham Bell.

Le Service des plaintes a reçu onze griefs, dont neuf provenaient de francophones et deux d'anglophones, à l'endroit de Bell Canada et de quatre autres sociétés de téléphone. Dix des plaintes signalaient un manque de service en français et la onzième contestait l'objectivité des pratiques d'emploi d'une société. La Loi sur les langues officielles n'autorise pas le Commissaire à instruire ces plaintes. Néanmoins, avec l'accord des correspondants et dans la mesure du possible, il les a portées à l'attention des autorités concernées.

Six des plaintes faisaient grief à Bell Canada de la mauvaise qualité ou de l'absence de services téléphoniques en français.

• Un anglophone se plaint de ce que les instructions relatives au fonctionnement des téléphones publics dans la région de la capitale nationale n'existent qu'en anglais. Comme il s'agissait d'une inadver-tance, la société a consenti à rendre les instructions bilingues.

• Un Québécois reçoit de la compagnie des factures où le nom de sa ville est libellé en anglais. Il demande au Commissaire d'intervenir auprès de Bell Canada afin de remédier à cette situation. La compagnie a imputé cette erreur à un ordinateur et a vu à ce qu'elle soit corrigée.

• Un correspondant qualifié de discriminatoire le fait qu'un sup- plément soit exigé pour publier en français le nom d'une maison d'affai- res dans les pages jaunes de l'annuaire téléphonique d'Ottawa. La société a fait savoir au Commissaire que ses pratiques en la matière dépendaient pour une bonne part du choix des abonnés : une maison d'affaires avait droit à une inscription gratuite soit en français, soit en anglais dans les pages blanches et dans les pages jaunes. L'abonné qui désirait les deux inscriptions dans les pages jaunes était tenu d'en payer une; si la deuxième inscription était formulée différemment, une traduction par exemple, l'abonné devait payer également une seconde inscription dans les pages blanches, car l'annuaire est un outil à réfé- rences multiples conçu à l'intention de tous les abonnés. Le Commis- saire a fait part de ces renseignements au plaignant.

• Trois plaintes invoquant l'absence de services téléphoniques en français à Ottawa, Windsor et Blind River ont été communiquées par le Commissaire à la société. En réponse au Commissaire, Bell Canada a expliqué les méthodes qu'elle utilisait dans ces trois centres. Elle a ajouté

Dossiers nos 862, 869 — Alliance de la fonction publique du Canada

• Un francophone téléphonique à l'Élément national de l'Alliance où on lui répond en anglais seulement. Comme il insiste pour parler français, il doit attendre un certain temps avant qu'un interlocuteur pouvant s'exprimer en français prenne son appel.

• Un fonctionnaire du ministère de l'Agriculture se plaint qu'à la Section locale à laquelle il appartient, le français n'a pas sa place dans les avis, les rapports et au cours des réunions.

L'Alliance n'était pas assujettie à la Loi sur les langues officielles mais, à titre officieux, le Commissaire a transmis ces plaintes à son président qui l'a assuré qu'il les porterait à l'attention des intéressés en leur demandant de faire les efforts nécessaires, dans la mesure du possible, pour corriger ces situations.

Dossier n° 1149 — Institut professionnel du service public du Canada

Un correspondant reproche à l'Institut la piètre qualité du français d'une formule de demande d'adhésion.

Le Commissaire n'a pas instruit cette plainte formellement puis- qu'elle mettait en cause un organisme privé. Cependant, l'Institut a reconnu, dans une lettre au plaignant, que la qualité de ses traductions pouvait être améliorée.

Dossiers nos 1355, 1601 — Association récréative du service civil d'Ottawa

Deux citoyens de la région de la capitale nationale reprochent à l'association l'unilinguisme anglais de la présentation du programme des saisons automne-hiver 1972-1973 et des sigles identifiant les ministères sur les gilets des équipes de hockey.

Le Commissaire a informé les plaignants que l'association, institution privée, n'était pas assujettie à la Loi sur les langues officielles. Néanmoins, le Commissaire, ayant reçu l'autorisation des plaignants, a porté leurs plaintes à titre officieux à l'attention de l'association.

En ce qui concerne la première plainte, l'association a informé le Commissaire que le programme était disponible dans les deux langues. Quant au second grief, le Commissaire a invité l'association à encourager ses membres à adopter un système d'identification reflétant davantage le caractère bilingue de ses membres. L'association a répondu que la plupart des équipes s'identifiaient au moyen de sigles par

• Un fonctionnaire fédéral attire l'attention du Commissaire sur un document signalant qu'un juge de la Cour provinciale de l'Ontario refusera à l'avenir d'endosser les mandats d'incarcération à moins qu'ils ne soient rédigés en anglais.

Le Commissaire a informé le plaignant qu'un tel refus ne constituait pas une infraction à la Loi sur les langues officielles. Il l'a invité à voir particulièrement l'article 11 (4) de la loi.

• Une francophone de l'Ontario se plaint de l'unilinguisme anglais des agents de la police provinciale de l'Ontario. L'agent qui l'a arrêtée sur la route 17 n'a pu répondre en français aux questions qu'elle lui a posées et s'est contenté de lui remettre un constat rédigé en anglais.

Le Commissaire ayant reçu l'autorisation de la plaignante a transmis ce grief à l'autorité provinciale concernée, qui lui a fait parvenir ses commentaires.

*Saskatchewan*

Dossier n° 735

Un francophone propose au Commissaire que le français soit considéré comme langue officielle devant les tribunaux de la Saskatchewan.

Le Commissaire a répondu au plaignant que sa proposition ne constituait pas une plainte aux termes de la Loi sur les langues officielles. Il se réservait le droit de donner une opinion légale dans les cas où il aurait à juger si la loi n'avait pas été observée.

*Colombie-Britannique*

Dossier n° 1619

Un correspondant francophone du Yukon rapporte qu'il ne pourra pas présenter sa cause en français lorsqu'il subira son procès pour un délit commis en Colombie-Britannique.

Le Commissaire l'a informé de son droit de témoigner dans la langue de son choix, mais il n'a pu lui garantir que le procès se déroulerait en français. Le Commissaire lui a également souligné qu'il avait le droit de retenir les services d'un avocat.



Trois francophones se plaignent de recevoir des sommations rédigées en anglais seulement de la Cour provinciale de l'Ontario dans les districts d'Ottawa-Carleton et de Sudbury.

Le Commissaire les a informés qu'il avait déjà porté cette question à l'attention des autorités provinciales qui avaient répondu que les sommations adressées à des francophones par la Cour provinciale seraient bientôt accompagnées d'une note explicative en français.

*Dossiers nos 1155, 1188, 1439*

• Une correspondante fait part au Commissaire de son intention de porter plainte contre le ministère des Transports et des Communications de l'Ontario parce que l'examinateur qui lui a fait passer à Ottawa son examen pour obtenir un permis de conduire ne parlait pas le français, comme on le lui avait promis. Le dossier a été fermé, la plaignante n'ayant pas donné suite à l'invitation du Commissaire de porter officiellement sa plainte à l'attention des autorités compétentes de la province d'Ontario.

• Un représentant d'une association francophone de l'Ontario se plaint au Commissaire de l'unilinguisme anglais de l'enseigne qui annonce au collège Algonquin d'Ottawa un programme de subventions offertes par le gouvernement fédéral pour des cours de langue pendant l'été. Le Commissaire, avec l'accord du plaignant, a fait part de la plainte au sous-secrétaire d'Etat et au directeur des subventions du ministère des Collèges et Universités de l'Ontario, qui administrent le programme. Le ministère ontarien a expliqué que l'enseigne avait été installée à la hâte avant la fin de l'année scolaire et que, par inadvertance, la version française n'avait pas été ajoutée. Peu après, le directeur a envoyé au Commissaire le double d'un nouvel avis bilingue rédigé par le gouvernement fédéral.

• Un avocat francophone de Hull rapporte qu'il a reçu uniquement en anglais du bureau du Régistrateur général de l'Ontario les formulaires 2 et 8 relatives au réenregistrement de la naissance d'un enfant adopté (deuxième déclaration pour un enfant adopté). Il demande si la version française de ces formulaires pourrait être envoyée à un couple unilingue francophone qui a entrepris des procédures d'adoption en Ontario. Avec l'autorisation du plaignant, le Commissaire a fait parvenir la plainte au gouvernement de l'Ontario qui en a accusé réception sans toutefois y donner suite.

• La plaignante de transmettre officiellement son grief au ministre des Services sociaux et communautaires de l'Ontario, mais elle a décliné l'offre.

## Ontario

Dossiers nos 860, 912, 999, 1025

• Une employée bilingue du ministère des Services sociaux et communautaires de l'Ontario rapporte qu'elle est tenue de traduire des textes anglais en français parce que son supérieur hiérarchique est unilingue anglophone. Elle estime qu'elle devrait être rémunérée en fonction de ces services supplémentaires. Le Commissaire a offert

• Une anglophone de l'ouest du Québec demande au Bureau des véhicules automobiles de sa localité des renseignements en anglais. N'ayant pu les obtenir, elle se rend à l'Hôtel de ville de Hull où on les lui donne. Elle prétend qu'on lui aurait répondu d'un ton cassant lorsqu'elle s'est plainte de ce que personne au Bureau des véhicules automobiles de sa localité n'ait pu la renseigner en anglais. Le Commissaire lui a expliqué que, le français étant la langue habituelle des autorités provinciales du Québec, elle ne pouvait s'attendre à ce qu'un petit bureau local lui offre des services en anglais.

• Un amateur de pêche d'Ottawa se plaint du mal qu'il a eu à obtenir du ministère du Tourisme du Québec les renseignements voulus quant à la manière d'obtenir une carte indiquant les lacs ensemenés. Il rapporte qu'il n'a rien compris à l'adresse qui lui a été épelée en français au téléphone. Le Commissaire l'a aidé à identifier le service en cause.

Le Commissaire lui a transmis le nom de cinq personnes auxquelles elle pourrait s'adresser.

• Une anglophone du Québec se plaint de ses difficultés avec le ministère provincial de l'impôt concernant son revenu personnel et du bilinguisme en général dans cette province.

Le Commissaire a avec l'autorisation du plaignant, a envoyé copie de sa lettre au Protecteur du citoyen pour le Québec.

Le Commissaire, avec l'assistance judiciaire.

• Un détenu qui purge dans une prison du Québec une peine pour vol qualifié demande au Commissaire des explications relatives à ses droits légaux ainsi qu'à l'assistance judiciaire.

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Le Commissaire lui a transmis un exemplaire de son premier rapport annuel l'invitant à lire à la page 4 l'article intitulé « Un point de vue réaliste sur le rôle du Québec » qui répondait à ses questions.

• Un anglophone se plaint que les exigences linguistiques des concours pour recruter des fonctionnaires provinciaux excluent les anglophones.

Le plaignant a autorisé le Commissaire à transmettre ses griefs au Commissaire aux langues pour le Québec et au Protecteur du citoyen.

• Un anglophone domicilié au Québec et un francophone de l'Ontario critiquent la politique linguistique du gouvernement du Québec. Le premier rapporte que le gouvernement désire instaurer l'unilinguisme français, le second déplore les efforts accrus du même gouvernement pour bannir l'anglais. Tous deux soulignent l'unilinguisme français des panneaux de signalisation de la route transcanadienne, particulièrement dans la région de Montréal, qui, disent-ils, a été construite avec l'aide financière du gouvernement fédéral.

Le Commissaire a porté cette plainte à l'attention du Commissaire aux langues pour le Québec.

• Un anglophone de la Colombie-Britannique envoie au Commissaire un entrefilet de journal rapportant le congédiement par le gouvernement du Québec d'une fonctionnaire unilingue anglaise.

Il se dit convaincu que « la promotion du français au Canada est illogique, inacceptable, impraticable, discriminatoire, dispendieuse et qu'elle entraîne des conséquences désastreuses pour l'unité du pays ».

Le Commissaire a informé le plaignant que les problèmes qu'il soulevait étaient la responsabilité du gouvernement du Québec.

• Un correspondant s'indigne de ce qu'un juge de la Cour supérieure du Québec ait rendu un jugement en anglais seulement alors que les parties étaient francophones. Le Commissaire a porté ces plaintes à l'attention du Commissaire aux langues pour le Québec.

*Dossiers nos 1229, 1231, 1524, 1833, 1841*

• Un citoyen de Hull reçoit une sommation de comparaître devant un juge de paix pour avoir garé son véhicule illégalement sur un terrain du gouvernement fédéral. Il soutient que le texte aurait dû être établi dans les deux langues officielles ou en français.

Le Commissaire a expliqué au plaignant que c'était un juge de la Cour des Sessions de la Paix de Hull, institution de ressort provincial, qui avait établi la sommation, bien que l'infraction ait été rapportée par la Gendarmerie royale du Canada. Le Commissaire a ajouté qu'en



des problèmes soulevés n'étaient pas de son ressort, il a porté ces questions à l'attention des autorités concernées lorsqu'il l'a jugé opportun.

#### *Ile-du-Prince-Édouard*

##### *Dossier n° 799*

Un francophone rapporte au Commissaire que le gouvernement provincial ne tient pas suffisamment compte du fait français dans le recrutement de fonctionnaires pour les régions où la majorité de la population est d'expression française. Selon le plaignant, cette attitude ne favorise pas les Acadiens.

Par la suite le Commissaire a été informé que le plaignant n'avait pas eu l'intention de déposer une plainte formelle et le dossier a dû être fermé.

#### *Nouveau-Brunswick*

##### *Dossiers n°s 1102, 1551*

• Une francophone informe le Commissaire que le ministère de la Santé a répondu en anglais à une lettre qu'elle avait écrite en français. Le ministère a transmis au Commissaire copie d'une lettre pré-sentant ses excuses à la plaignante et l'assurant que des mesures seraient prises pour éviter la répétition de tels incidents.

• Un francophone rapporte que les panneaux de signalisation routière aux environs du parc national de Kouchibouguac sont unilingues anglais.

Quelques jours plus tard, le plaignant a informé le Commissaire que les panneaux unilingues anglais étaient la propriété du gouvernement du Nouveau-Brunswick. Il a donc retiré sa plainte.

#### *Québec*

##### *Dossiers n°s 928, 947, 966, 1353, 1138, 1292*

• Un francophone de Montréal demande l'avis du Commissaire sur diverses questions concernant le statut de la langue française au Québec.

Au cours de l'année, le Commissaire a reçu plusieurs griefs concernant des institutions ou des services provinciaux. Comme la plupart

4. *Provinces* — « Ah, mais où se trouve le Rubicon ? »

Le Commissaire a signalé aux plaignants que le fait qu'un député ait écrit ou parlé en anglais seulement ne constituait pas comme tel une infraction à la Loi sur les langues officielles puisque, dans tous les cas, il s'agissait de communications faites non pas au nom du gouvernement ou du Parlement du Canada mais à titre personnel. Quant à la réponse donnée en anglais par un ministre, le Commissaire a souligné qu'un député pouvait à son gré donner la réplique dans l'une ou l'autre langue officielle.

Des francophones reprochent à certains députés de leur envoyer des questionnaires ou des lettres en anglais seulement et de prononcer des discours électoraux uniquement dans cette langue. L'un deux fait même grief à un ministre francophone d'avoir répondu en anglais à une question qui lui était posée dans cette langue à la Chambre des communes.

*Dossiers nos 1293, 1308, 1494, 1704, 1767, 1810*

3. *Parlementaires* — « Gouverner, c'est prévoir. »

Deux correspondants désireux de suivre des cours de français se sont adressés au Commissaire pour obtenir son aide. Un anglophone, membre du Corps des Commissionnaires, division d'Ottawa, souhaitait s'inscrire à un cours de français de la Commission de la fonction publique. On l'a prié de s'adresser au capitaine de sa division chargé de dresser la liste des membres qui voulaient suivre des cours de français. Un Québécois à qui on avait refusé un congé non payé pour étudier l'anglais a autorisé le Commissaire à communiquer, de sa part, avec le président de sa société. Le correspondant a fait savoir au Commissaire qu'il avait obtenu le congé nécessaire.

Commission des droits de l'homme de l'Ontario. L'agent de dotation en personnel d'un hôpital au service d'une population en majorité francophone de l'Ontario a fait savoir au Commissaire que l'hôpital désirait engager une personne bilingue à un poste qu'il considérait bilingue, alors que le syndicat insistait pour que soit nommé un anglophone alors à l'emploi de l'hôpital. Après avoir obtenu le consentement de la plaignante, le Commissaire a fait parvenir sa lettre au Coordonnateur du bilinguisme pour l'Ontario qui a, par la suite, reçu du président de la Commission des droits de l'homme de l'Ontario l'assurance qu'en exigeant la connaissance des deux langues, l'hôpital n'allait à l'encontre d'aucune loi.

chenil, révélait que ce cercle, bien que constitué en vertu des dispositions de la Loi sur le pédigree des animaux administrée par le ministre de l'Agriculture, était une organisation autonome. Un essai infructueux visant à installer un ordinateur à la Division d'enregistrement avait produit une accumulation de demandes mais le Cercle était en train d'y répondre et d'engager du personnel bilingue capable de communiquer avec ses membres dans les deux langues.

Une anglophone a formulé une plainte relative au manque de service en anglais. Elle signalait qu'un avocat de Hull lui avait refusé la traduction d'un document en français ayant trait à l'achat d'un immeuble. Son propre avocat avait lu le document et l'avait approuvé sur le plan juridique. Elle a finalement admis qu'un avocat ontarien aurait probablement refusé en pareil cas de traduire gratuitement en français des documents légaux ordinaires.

Le second groupe de plaintes, quant au nombre, concernait les étiquettes unilingues, principalement celles qui étaient apposées sur les produits alimentaires, ainsi que les instructions unilingues. Elles provenaient aussi bien de francophones que d'anglophones et se rapportaient à des objets aussi divers qu'une enveloppe unilingue de tablette de chocolat et un manuel de directives unilingue accompagnant une voiture de fabrication étrangère. Presque toutes ces plaintes ont été, avec l'autorisation du plaignant transmises à la Direction des services d'aide aux consommateurs du ministère de la Consommation et des Corporations à Ottawa, au Commissaire aux langues pour le Québec et au Service de la loyauté des ventes du gouvernement québécois.

Quelques-unes des plaintes se rapportaient à des publications. Un anglophone était d'avis que les collaborateurs d'un nouveau journal scientifique qui, croyait-il à tort, aurait reçu une subvention fédérale, devraient avoir la possibilité de publier leurs travaux en français ou en anglais. Le Commissaire a réussi à élucider la question et il a transmis au plaignant les renseignements qu'il désirait sur les lexiques bilingues. Un citoyen de Bathurst requerrait de l'aide pour obtenir qu'un journal local de langue anglaise reprenne la publication d'une section française. Le Commissaire a transmis cette demande au rédacteur en chef du journal.

Trois plaintes se rapportaient à la langue de travail ou aux pratiques d'emploi. Un correspondant prétendait qu'un hôpital d'Ottawa avait pour politique d'empêcher le personnel francophone de parler français au travail. Un Québécois anglophone croyait déceler une certaine discrimination raciale dans une annonce publiée par une université anglophone de l'Ontario dans un journal de Montréal. Cette annonce demandait une secrétaire de langue maternelle anglaise, capable de s'exprimer couramment en français. Le correspondant n'a pas répondu à l'offre que lui a faite le Commissaire de transmettre la plainte à la



diffisant de formules gouvernementales appropriées, rédigées dans les aux langues officielles. Un autre correspondant d'Ottawa se plaignait ce que la Croix Rouge remette aux donateurs de sang une étiquette multilingue et un francophone de Montréal critiquait une association sportive bénéficiant de subventions fédérales pour l'avoir remercié en anglais de sa contribution financière. La Croix Rouge a promis de commander des étiquettes françaises mais l'association sportive, elle, a pas répondu à la demande du Commissaire.

Un collègue québécois déclarait qu'une compagnie ontarienne lui avait demandé de lui écrire désormais en anglais, seule langue de la province d'Ontario, et un correspondant se plaignait de ce qu'un relevé mensuel émanant d'une compagnie d'Ottawa fût rédigé en anglais. Une plainte formulée par un créancier, qui avait reçu d'un syndic de faillite un relevé rédigé dans une seule langue, a été transmise au Commissaire aux langues pour le Québec.

Une plainte soulignant le fait qu'une agence de voyages de la région de la capitale nationale avait apposé un tampon unilingue sur un billet d'Air Canada a été portée à l'attention de la compagnie aérienne. Bien que le Commissaire ait exonéré la compagnie de tout blâme dans cette affaire, il lui a néanmoins transmis certaines suggestions du plaignant sur la modification des tampons qu'utilisaient les agences de voyages. Air Canada a accepté d'écrire aux agences à ce sujet. Deux plaignants signalaient le manque de services en français sur les vols internationaux de CP Air. La compagnie a exprimé ses regrets de ne pouvoir, en raison des conventions collectives et des droits d'ancienneté, affecter du personnel bilingue à tous les vols.

Des francophones se plaignaient également de l'absence de services en français à la station d'autobus d'Ottawa, dans un supermarché montréalais, dans un hôtel de Moncton et dans un autobus de tourisme de la ville de Québec.

Une plainte sur une annonce unilingue que le nouvel Institut international du Canada pour le grain avait insérée dans la presse du Manitoba a mis en lumière le fait que, bien qu'étroitement lié à plusieurs établissements fédéraux, l'Institut était probablement constitué à titre d'association privée. L'Institut a tout de même fait connaître ses projets visant à répondre aux besoins des francophones.

Une association francophone, qui croyait à tort que le gouvernement fédéral détenait un intérêt majoritaire dans la Panartic Oils Ltd., était d'avis que celle-ci devrait publier ses rapports annuels dans les deux langues officielles. La compagnie, dont le gouvernement est tout simplement actionnaire, a décidé que son rapport pour l'année 1972 paraîtrait en français et en anglais.

Une plainte relative au manque de français et aux retards dans les services offerts par la Division d'enregistrement du Cercle canadien du

Un francophone demande l'aide du Commissaire pour obtenir qu'on assure le transport de ses enfants à une école séparée où ils pourraient apprendre le français et l'anglais. Le Commissaire a accepté de transmettre la lettre du plaignant au ministre de l'Éducation de l'Alberta.

## Colombie-Britannique

Un anglophone, professeur de français, écrit au Commissaire au sujet de la méthode utilisée pour enseigner le français dans la province, méthode qui, selon lui, est inadéquate. Il veut également savoir si les minorités francophones peuvent recourir à des poursuites judiciaires contre le gouvernement provincial devant les tribunaux fédéraux. En ce qui concerne les droits que pourraient avoir les minorités francophones d'intenter des poursuites judiciaires contre les gouvernements provinciaux, le Commissaire a déclaré que la Loi sur les langues officielles n'énonçait aucune directive à ce sujet.

## 2. *Entreprises privées* — « Votre petit chien, Madame, m'a mordu. »

Au cours de l'année, le Service des plaintes a reçu plusieurs griefs à l'endroit des entreprises privées, dont quelques-uns avaient été, par erreur, formulés contre des institutions fédérales. Les plaintes des francophones étaient deux fois plus nombreuses que celles des anglophones. La Loi sur les langues officielles n'accorde pas au Commissaire le pouvoir d'instruire ces plaintes; aucune de celles-ci, d'ailleurs, ne concernait des entreprises privées détendant une concession du gouvernement fédéral ou liées par contrat à ce dernier. Après avoir obtenu l'autorisation écrite des correspondants, le Commissaire a attiré l'attention des autorités intéressées sur plusieurs de ces plaintes.

La plupart de ces plaintes avaient trait au manque de services en français dans un domaine quelconque. Elles allaient d'un grief au sujet de la mauvaise qualité du français d'une annonce au récit des difficultés et des délais relatifs à l'établissement en français du pedigree d'un chien de race. A Ottawa, une maman a constaté qu'elle ne pouvait obtenir à l'hôpital des formules d'allocations familiales imprimées en français. Le Commissaire a demandé au ministre de la Santé nationale et du Bien-être social de faire parvenir à cette dame une formule française et à l'hôpital d'avoir à sa disposition un approvisionnement

Une anglophone de Gravelbourg déclare que, parce qu'il n'est pas francophone, son fils n'a pas été admis en onzième année à l'école bilingue qu'il fréquentait depuis trois ans. Le Commissaire l'a référé au ministre provincial de l'Éducation.

Dossier n° 1176

Saskatchewan

Le Commissaire a offert de porter cette plainte à l'Ombudsman de la province et a ajouté qu'il espérait que ce dernier pourrait remédier aux difficultés matérielles que le professeur avait éprouvées sans nuire au droit des enfants francophones à recevoir un enseignement dans la langue officielle de leur choix.

Parlement en français.

• Un membre du Parlement transmet au Commissaire une plainte provenant d'un professeur d'art industriel qui a été renvoyé par la division scolaire de Saint-Boniface parce qu'il n'était pas en mesure d'enseigner en français à deux écoles où les cours se donnaient princi-

• Un autre correspondant de Winnipeg proteste contre le fait qu'après quelques leçons, les frais d'un cours de français ont été portés au-delà du prix annoncé. Une enquête non officielle menée par le Commissaire a révélé que le cours en question avait été organisé à l'insu ou sans la participation de la Commission scolaire locale, et que celle-ci avait subéquemment décidé d'augmenter les frais de scolarité afin de les faire concorder avec ceux des cours analogues offerts dans la région.

• Une correspondante de Winnipeg signale que les enfants anglophones de l'endroit n'ont aucune occasion d'utiliser le français qu'ils apprennent à l'école et suggère l'instauration d'un programme provincial groupant les activités parascolaires et sociales des étudiants anglophones et francophones de la région de Winnipeg. Le Commissaire a fait part de cette suggestion au ministre de l'Éducation du Manitoba.

rais de scolarité.

lingue était disponible dans le Winnipeg métropolitain, mais non dans les écoles de la Division scolaire de Winnipeg. En vertu des dispositions de la Loi relative à l'instruction bilingue au Manitoba, si un enfant d'une autre division où cette instruction est dispensée, la division scolaire où cet enfant habite doit acquitter tous les frais supplémentaires dus à la division scolaire qui l'a accepté. Les enfants de la division scolaire de Winnipeg fréquentaient déjà, en vertu de cet arrangement, les écoles de Saint-Boniface, sans que leurs parents aient à payer de



*Manitoba**Dossiers nos 856, 876, 924, 1642*

• Un anglophone de Winnipeg se plaint qu'il est difficile d'obtenir un enseignement bilingue dans les écoles du Manitoba et que cet enseignement coûte cher lorsqu'il s'agit de prendre des cours privés. Le ministre provincial de l'Éducation a dit au Commissaire que l'instruction

prises à cet égard par le ministère de l'Éducation.

Le Commissaire a référé cette requête au Coordonnateur du bilinguisme de la province d'Ontario et a été tenu au courant des mesures

• Des étudiants qui suivent des cours selon un horaire alternatif, groupes francophones, groupes anglophones, à l'école secondaire St-Laurent de Cornwall demandent l'aide du Commissaire afin d'obtenir une école secondaire séparée de langue française.

• Un père de famille francophone de Windsor déclare que par suite d'une nouvelle interprétation de la Loi sur les écoles séparées, il ne peut plus payer de taxes à la Commission des écoles séparées qui dispense un enseignement en français à ses enfants. Sa femme n'étant pas catholique romaine, il est obligé d'acquitter les frais de scolarité de ses enfants. Il s'objecte également au préjugé voulant que les francophones soient catholiques romains et les anglophones protestants. On a toutefois découvert que d'après l'ordonnateur de Windsor, toutes les familles dont l'un des parents n'était pas catholique devaient payer des taxes à la Commission des écoles publiques. Cette erreur a été corrigée. Le plaignant a ultérieurement écrit au Commissaire pour l'informer que son cas avait été réglé.

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• Un francophone attire l'attention du Commissaire sur une annonce parue dans un journal où les cours de français offerts par le collège Conestoga à Guelph figurent sous la rubrique « langues étrangères ». Comme le collège Conestoga n'était pas une institution fédérale, le Commissaire n'a pu instruire cette plainte. Il a approuvé l'initiative du correspondant d'avoir signalé à la direction du collège que le français était l'une des deux langues officielles du Canada.

Le groupe a alors écrit au premier ministre de l'Ontario. Le groupe a refusé de fournir ces cours pour septembre 1972. Le leur demande et communiqué avec la Commission des écoles séparées, offrir des cours mais non le transport. En conséquence, ils ont retiré du comité de Peel et celle-ci leur a répondu qu'il était possible de leur

vent à ces cours en vue d'obtenir des crédits ou à des cours conduisant à un diplôme universitaire ne sont pas admissibles à l'aide financière. Il est d'avis que l'exclusion de ceux qui choisissent d'obtenir un diplôme dans une université francophone et aimeraient poursuivre leurs études durant l'été est injustifiée. Le Commissaire a expliqué que cette affaire ne relevait pas de sa compétence mais a demandé cependant d'être informé de ses développements.

#### Nouveau-Brunswick

Dossiers nos 917, 1270, 1663

• Un anglophone du Nouveau-Brunswick déclare que le temps accordé à l'enseignement du français dans les écoles primaires n'est pas suffisant et qu'à moins que le système soit amélioré, il est impossible que les enfants deviennent bilingues. Le Commissaire a transmis sa plainte au ministre provincial de l'Éducation.

• Un correspondant francophone prétend que, dans la brochure diffusée par le ministère de l'Éducation et intitulée *The Organization of Instruction for New Brunswick Schools*, figurent au nombre des matières inscrites au programme de base des études pour le premier cycle du secondaire : l'anglais, les mathématiques, les sciences et la sociologie. Il suggère de substituer « la langue maternelle » à « l'anglais » en raison de la dualité du système d'éducation dans cette province. Le plaignant n'a pas répondu à l'offre que lui a faite le Commissaire de renvoyer l'affaire au ministre provincial de l'Éducation.

• Une étudiante de la polyvalente Restigouche fait parvenir au Commissaire, à titre de renseignement, une copie d'un mémoire adressé au ministre de l'Éducation du Nouveau-Brunswick au sujet des problèmes qui peuvent se présenter dans les écoles bilingues. Le Commissaire a indiqué qu'il suivait de près les efforts que déployaient les francophones à travers le pays afin de préserver leur langue et leur identité culturelle.

#### Ontario

Dossiers nos 1192, 1571, 1674, 1851

• Un groupe de parents francophones de Mississauga informe le Commissaire qu'ils désirent que leurs enfants soient éduqués en français. Ils ont fait des démarches auprès de la Commission scolaire

*Dossier n° 1020*

Une étudiante anglophone de l'université Trent souligne au Commissaire les difficultés qu'elle a rencontrées lorsqu'elle a demandé une bourse qu'offrirait Perspectives-Jeunesse pour suivre le cours de français pendant l'été à Saint-Pierre-et-Miquelon. Le Commissaire l'a avisée que les crédits affectés à ces bourses provenaient du Secrétariat d'Etat et étaient administrés par le ministère des Collèges et Universités de l'Ontario.

*Dossier n° 1050*

Un anglophone, étudiant d'université, à l'emploi d'un ministère fédéral à Ottawa durant l'été, demande si on peut lui accorder des cours de langue seconde après les heures de travail. Il souligne que lorsque les étudiants arrivent à Ottawa pour assumer les fonctions de leur emploi d'été, il est trop tard pour s'inscrire à des cours universitaires et que, par ailleurs, les cours privés coûtent trop cher. Le Commissaire lui a répondu que le collège Algonquin offrirait plusieurs cours d'été qui pourraient peut-être lui convenir et que les ministères ne remboursaient pas aux employés d'été les frais de leurs cours de langue.

*Dossier n° 1139*

Une Torontoise s'enquiert de la raison pour laquelle les adultes ne pourraient, tout comme les étudiants, bénéficier de cours de français gratuits. A son avis, cela est nécessaire si le Canada doit devenir un pays bilingue. Le Commissaire l'a invitée à communiquer avec le ministère de l'Education de l'Ontario et avec le Secrétariat d'Etat.

*Dossier n° 1799*

Le comité français d'une école de Toronto se plaint au Secrétariat d'Etat du fait qu'en raison du manque de fonds, les cours de français pourraient être discontinués. Le Commissaire, ayant reçu une copie de cette lettre, a expliqué qu'il n'avait pas compétence en la matière mais a offert son appui moral.

*Dossier n° 1866*

Un anglophone de l'Alberta se plaint de ce que seuls les enseignants qui suivent des cours ne comportant pas de crédits peuvent bénéficier de l'aide financière accordée aux enseignants qui désirent continuer leurs études en français durant l'été. Il ajoute que les enseignants qui s'inscrivent



action et le dossier a été fermé.

Avant qu'il ait pu examiner la question à fond, le Commissaire français dans le district scolaire desservant la Base de Gagetown.

du niveau secondaire au programme scolaire primaire déjà offert en tête de la Défense nationale en vue d'obtenir que l'on ajoute des cours à Fredericton, qu'une demande de subvention a été soumise au minis-

• Un francophone informe le Commissaire, au cours d'un entretien

a eu aucune instruction.

Comme cette personne n'a pas déposé de plainte formelle, il n'y

Evangeline.

side ne soient pas autorisés à fréquenter l'école française régionale

• Un francophone de l'Île-du-Prince-Édouard déplore le fait que les

*Dossiers nos 797, 817*

Chambre des communes par le Secrétaire d'Etat.

Le Commissaire a fait parvenir aux correspondants une copie des

entièrement utilisées à cette fin.

provinces pour l'enseignement en français et du français ne sont pas

Secrétariat d'Etat, accorde chaque année aux gouvernements de ces

subventions que le gouvernement du Canada, par l'intermédiaire du

Brunswick, Ontario, Saskatchewan et Alberta) soutiennent que les

Des résidents de cinq provinces (Nouvelle-Ecosse, Nouveau-

*Dossiers nos 687, 728, 756, 800, 803, 1002*

expliquant le programme de bourses-cours d'été de langues.

Le Commissaire lui a envoyé un dépliant du Secrétariat d'Etat

cours de français à l'université Laval.

financière accordée aux jeunes anglophones qui désirent suivre des

Un étudiant s'enquiert de la possibilité de bénéficier de l'aide

*Dossier n° 665*

personnes aux autorités compétentes.

connexes. Dans la mesure du possible, le Commissaire a renvoyé ces

ayant trait à l'enseignement du français ou se rattachant à des problèmes

d'Etat. En outre, plusieurs correspondants ont formulé des plaintes

vince ou avec le directeur des Programmes des langues du Secrétariat

pendants à communiquer avec le ministre de l'Éducation de leur pro-

langue seconde ou dans celle-ci. Le Commissaire a invité les corres-

Un ouvrier se plaint qu'à la centrale thermique située sur la rue Cliff, à Ottawa, les directives et avis administratifs adressés au personnel ne sont rédigés qu'en anglais.

Le ministre a informé le Commissaire que toutes les directives à l'intention du personnel et les bulletins diffusés dans la région de la capitale nationale étaient bilingues depuis assez longtemps. Quelques affiches ayant trait à la sécurité au travail n'existaient qu'en anglais mais le ministre avait déjà pris les mesures nécessaires pour les faire traduire en français, et ensuite les placer bien en évidence. Le ministre a reconnu que certains tableaux d'affichage n'indiquaient pas toujours la rubrique dans les deux langues mais il cherchait à corriger cette situation. Les conférences et les films sur la sécurité au travail dont il disposait seraient également présentés en français.

Le mécanicien-opérateur en chef était bilingue et pouvait s'occuper des problèmes relatifs au fonctionnement de la chaudière dans l'une ou l'autre langue officielle. Le ministre a admis, toutefois, que les guides de l'exploitation comprenant (a) les directives ministérielles et (b) les bleus des fabricants et les directives d'exploitation étaient rédigés uniquement en anglais.

Le ministre a accepté de suivre les recommandations du Commissaire selon lesquelles toutes les instructions émanant de la région de la capitale nationale devaient être rédigées dans les deux langues officielles. Il a d'autre part ajouté que la traduction des guides techniques et des directives des fabricants posaient un problème plus difficile à résoudre mais qu'il consulterait le Bureau des traductions pour connaître les méthodes et les moyens à utiliser pour traduire les documents essentiels.

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## PLAINTES NE METTANT PAS EN CAUSE DES INSTITUTIONS FÉDÉRALES DÉTERMINÉES

1. *Education* — « Ponce-Pilate, lui aussi, respectait la constitution. »

Plusieurs correspondants se sont adressés au Commissaire, au cours de l'année, soit pour obtenir des renseignements, soit pour exprimer des commentaires sur la répartition ou l'utilisation des fonds fédéraux destinés à l'enseignement de la langue seconde. Les gouvernements provinciaux ont une juridiction exclusive dans le domaine de l'éducation. Cependant, des fonds sont répartis entre les provinces, d'après une entente fédérale-provinciale, pour l'enseignement de la

) le titulaire du poste de capitaine suive, dès que possible, des cours de français.

Le ministre a acquisé aux deuxième et troisième recommandations mais a rappelé, en égard à la première, que le capitaine du dragueur avait pas, dans l'exercice de ses fonctions, à communiquer avec le grand public.

• Une francophone, dont la connaissance de l'anglais est restreinte, pose sa candidature à un poste de sténographe au ministère. Elle se plaint qu'on lui a répondu qu'elle n'était pas admissible à ce concours parce que le poste offert exigeait la connaissance pratique de l'anglais. Elle croit que ces postes devraient être accessibles non seulement aux candidates bilingues et aux anglophones unilingues mais également aux francophones unilingues.

Le ministère a déclaré au Commissaire qu'il était difficile de déterminer ce qui s'était réellement passé mais que de toute façon il n'aurait pas fallu dire à la plaignante qu'elle devait bien connaître l'anglais pour postuler cet emploi. Même si les postes à pourvoir par des francophones unilingues étaient limités, chaque demande d'emploi devrait faire l'objet d'une étude approfondie et la plaignante aurait dû être convoquée à une entrevue. Le ministère a donc rappelé au directeur de son bureau de la région de la capitale nationale de veiller à ce que les employés affectés aux relations publiques soient au courant des méthodes à observer pour interviewer toutes les personnes qui sollicitent un emploi quelle que soit leur langue maternelle.

#### *Dossier n° 517 — Publicité*

Un francophone de Winnipeg signale qu'il faut absolument lire les journaux de langue anglaise de l'endroit pour obtenir des informations sur les services gouvernementaux et voir les annonces des postes à pourvoir dans la fonction publique ou des appels d'offre émanant des organismes fédéraux.

La Commission de la fonction publique et les ministères fédéraux qui ont des contacts avec le public se sont engagés à utiliser plus souvent les hebdomadaires de langue française de la région pour leurs annonces et leur publicité dans des endroits tels que Winnipeg où ne paraît aucun quotidien en français.

Étant donné que les avis ne constituaient qu'une façon d'obtenir des biens et des services par voie de soumission, le Commissaire a décidé d'analyser en profondeur le processus entier dans le cadre d'une étude sur le ministère, que le Service des études spéciales devait amorcer au début de l'année 1973-1974.



langue; et

2) les services au personnel soient offerts aux membres dans leur propre

officielle de son choix;

1) la population de la région côtière reçoive des services dans la langue

a recommandé au ministre de veiller à ce que :

n° 23 et des membres de l'équipage étant francophones, le Commissaire  
tion du capitaine. La majorité de la population servie par le dragueur  
Commission de la fonction publique, le ministre a confirmé la nomina-  
l'équipage étaient bilingues. En conséquence, après avoir consulté la  
cité de sa supervision puisque quatre des membres francophones de  
le fait qu'il soit un anglophone unilingue ne nuisait nullement à l'effica-  
n'avait dans l'exercice de ses fonctions aucun contact avec le public,  
Le ministre a expliqué que, puisque le capitaine du dragueur

maternelle de cinq des sept membres de l'équipage est le français.  
compte selon lui 97 p. 100 de francophones. Il ajoute que la langue  
Brunswick, entre Cape Tormentine et Campbellton, où la population  
capitaine du dragueur n° 23 qui dessert la région côtière du Nouveau-  
Un plaignant rapporte qu'un anglophone unilingue a été nommé

#### *Dossiers nos 762, 1349 — Concours*

Porcupine.

inscription bilingue identifierait également l'édifice fédéral à South  
écriteaux bilingues à ces bureaux de poste. Il a ajouté que d'ici peu une  
Le ministre a déclaré au Commissaire qu'il avait installé des

de poste de Porcupine et de Schumacher, en Ontario.

• Un membre d'une organisation culturelle francophone se plaint  
de l'unilinguisme anglais des écriteaux apposés à l'extérieur des bureaux

Le ministre a ajouté qu'il avait entrepris de modifier progressivement toute signalisation de ce genre afin de se conformer à la loi.

d'ascenseur.

A la suite de l'intervention du Commissaire, le ministre s'est  
engagé à placer un écriteau bilingue et à faire modifier les boutons  
est défendu de fumer et les boutons sont libellés en anglais seulement.

• Un francophone remarque dans un ascenseur d'un immeuble  
occupé par le Secrétariat d'Etat à Ottawa que l'écriteau indiquant qu'il  
est défendu de fumer et les boutons sont libellés en anglais seulement.

Le ministre a informé le Commissaire de son intention d'apposer  
des plaques en bronze portant certaines de ces inscriptions en français  
et de faire graver les autres dans la pierre.

Le Commissaire a formulé quatre recommandations à la suite de l'instruction de deux plaintes qui avaient trait à la langue de travail. Le ministre s'est engagé à en appliquer trois et il n'a pas été nécessaire de suivre la quatrième (voir le résumé du dossier n° 762).

Les douze autres plaintes concernaient la publicité faite dans les journaux, les concours, les écrans, les plaques, et quelques imprimés. Le ministère a pu les régler rapidement.

*Dossiers nos 1045, 1160, 1338, 1498, 1640, 1707 — Aspects visuels*

• Un francophone signale la présence à Fredericton d'un écran unilingue anglais qui se lit comme suit : « Alterations to Federal Building—Department of Public Works, J. E. Dube, minister ».

Le ministère a informé le Commissaire qu'il y avait effectivement eu erreur de sa part et que le panneau en question avait été enlevé. Le personnel de la région a été avisé des dispositions de la Loi sur les langues officielles et de la politique du ministère en ce qui concerne l'affichage.

• Un francophone signale au Commissaire un article paru dans un journal de langue française concernant la qualité du français d'un écran à la porte d'un ascenseur hors service au Parlement.

Les écrans en question avaient été posés par une société privée effectuant des travaux de rénovation. Bien que la question ne relevât pas directement d'une institution fédérale, un fonctionnaire du ministère avait fait préparer une traduction grammaticalement correcte et con-scellée à la société de faire les changements qui s'imposaient. Mais, comme le dit si bien Mathurin Régnier « Qui gai fait une erreur la boit à repentance ». L'imprimeur s'avisa donc d'introduire à son tour des erreurs qui ont dû subir l'intervention d'un pinceau justicier.

• Un francophone d'Ottawa souligne l'unilinguisme anglais de certains écrans et inscriptions dans l'immeuble Hunter occupé par les ministères de la Main-d'œuvre et de l'Immigration et de la Défense nationale.

Le ministère a pris les mesures nécessaires pour corriger toutes les indications unilingues relevées par le plaignant.

• Le plaignant attire l'attention du Commissaire sur les inscriptions unilingues anglaises à l'entrée de l'édifice occupé par le Musée de guerre.

1. Voir le *Deuxième rapport annuel*, 1971-1972, pp. 96 et 97.
2. Voir le *Deuxième rapport annuel*, 1971-1972, pp. 99 et 100.

politique a été amorcée sans que des échéances aient été fixées. Il convient également de noter que, d'après cette même ligne de conduite, le français n'aura la préséance que dans la province de Québec, alors qu'une des recommandations formulées à la suite de l'étude de la région de la capitale nationale<sup>1</sup> permettrait plus de souplesse en accordant la préséance au français dans les endroits hors du Québec où la population est en majorité francophone.

Par ailleurs, le document ne prévoit rien en ce qui concerne les écritureaux intérieurs dont la responsabilité incombe à d'autres organismes fédéraux, le ministère ne voulant pas s'immiscer dans leur régie interne. Il a consenti toutefois à leur rappeler les objectifs de la Loi sur les langues officielles en matière de signalisation de même que les meilleures façons de les atteindre.

Pour la région de la capitale nationale, la recommandation relative aux inscriptions, panneaux et écriteaux extérieurs devrait être, selon les indications fournies, mise en œuvre d'ici l'été 1974, bien que le ministère en ait différé l'échéance initialement fixée au 30 septembre 1972. Le travail devait d'ailleurs être accompli à 95 p. 100 le 30 novembre 1973. Quant à la recommandation exigeant la correction, pour le 30 juin 1972, des fautes dans la signalisation, le ministère a indiqué qu'il l'appliquait au fur et à mesure que les erreurs étaient décelées. D'autre part, la recommandation concernant les inscriptions figurant sur les immeubles pris en location par l'administration fédérale sera mise en œuvre graduellement d'ici l'année financière 1975-1976. Enfin, pour ce qui est de la recommandation visant la préséance à accorder au français dans la partie de la région de la capitale nationale située au Québec, le ministère a manifesté l'intention de respecter sa politique. Il a informé le Commissaire que le panneau de l'Immeuble Fontaine, à Hull, qui donnait la préséance à l'anglais, avait été corrigé.

Le ministère a indiqué qu'il suivrait les treize recommandations<sup>2</sup> formulées à la suite de l'étude portant sur la région de Winnipeg, tout en respectant l'échéance de la plupart, fixée à septembre 1974. Il a en outre précisé qu'il avait appliqué la recommandation traitant de la révision des textes français. Finalement, la recommandation au sujet des panneaux conçus et érigés par les entrepreneurs était, l'autonomie d'administration des textes français. Finalement, la recommandation au sujet des plaintes contre ce ministère. Dans l'une d'elles, l'inspection a révélé qu'aucune infraction à la Loi sur les langues officielles n'avait été commise. Deux autres dossiers ont été fermés parce que les plaignants n'ont pas fourni des renseignements essentiels.



ministère d'annoncer le plus tôt possible, dans les annuaires téléphoniques locaux, que le public pouvait, en appelant frais vus à Ottawa, obtenir des services en français. Il a en outre souligné qu'il s'agissait là d'une mesure temporaire visant à permettre aux clients francophones d'obtenir automatiquement un service en français dans des villes comme Toronto où le bureau local manquait de personnel bilingue.

Le ministère a répondu qu'il croyait que cette solution au problème s'avérerait, pour le moment, plus pratique que l'insertion d'une annonce dans les annuaires locaux. Son conseiller en bilinguisme a visité les bureaux régionaux et discuté des exigences linguistiques des postes et de la possibilité d'accroître la capacité bilingue par le recrutement et les cours de langue.

Le Commissaire a réitéré sa recommandation car il croyait que la méthode qu'il préconisait était relativement simple, pratique et plus efficace que celle que les bureaux régionaux utilisaient alors.

## TRAVAUX PUBLICS — « Bulldozer »

### APPRÉCIATION

Les mesures que le ministère a prises en vue de remédier aux causes de plaintes ont été en général empreintes de sollicitude. Il a appliqué quelques-unes des recommandations que le Commissaire a formulées après deux études spéciales, mais, lorsqu'il a tenté d'appliquer les autres recommandations, il s'est englu dans sa propre paperasse et dans celles des autres ministères et s'est, jusqu'à présent, résigné à adopter des mesures traditionnelles, sans chercher de méthodes innovatrices pour aider les ministères et les organismes à rendre bilingues des objets visibles comme les écriteaux, les tableaux indicateurs et les plaques. Le ministère m'écrit par contre des félicitations pour avoir posé une bonne première pierre en novembre 1973, en mettant à la disposition de son personnel de soutien qui travaille en français un cours de rédaction administrative bien conçu et d'une grande utilité pratique.

Le bureau du Commissaire a effectué deux études spéciales portant sur la signalisation : la première, dans la région de la capitale nationale, et la seconde, à Winnipeg.

En août 1973, le ministère des Travaux publics adoptait une ligne de conduite provisoire portant sur tout ce qui touche à la signalisation (écriteaux, plaques commémoratives, panneaux de chantiers, etc.). Les principes énoncés dans ce document, s'ils étaient bien suivis, permettraient au ministère de mettre en place systématiquement, à l'échelle du pays, une signalisation bilingue. Toutefois, l'application de cette

thèque et l'administration générale peuvent en principe servir les employés dans les deux langues officielles. Le ministère s'est enrichi de trois unités de langue française.

Le ministère a déclaré que les services offerts à la population étaient bilingues (écriteaux, correspondance et communications téléphoniques compris).

## PLAINTES

*Dossier n° 1342—A Toronto*

Une francophone téléphone au bureau du ministère situé au n° 74 de la rue Victoria et ne peut obtenir de service en français car aucun employé n'est capable de parler cette langue.

Le ministère a admis qu'aucun employé de son bureau à Toronto ne pouvait servir le public en français et qu'il aurait dû avertir les employés de ses bureaux régionaux qui n'avaient pas de capacité bilingue de demander aux clients francophones de laisser leur numéro de téléphone pour que leur appel soit acheminé à l'administration centrale d'Ottawa d'où on les rappellerait. Ces mesures ont d'ailleurs été prises depuis cet incident.

Le ministère réalisait que cette solution n'était pas entièrement satisfaisante mais il n'avait pu réussir à engager un ou deux employés bilingues dans chacun de ses bureaux au Canada. Il avait également éprouvé beaucoup de difficulté à recruter des commis et des téléphonistes bilingues, particulièrement dans les grandes villes où ces employés étaient très en demande.

Le Commissaire comprenait ces problèmes mais néanmoins la Loi sur les langues officielles exigeait que le ministère fournisse des services bilingues au public. Il a donc formellement recommandé au ministère de prendre les mesures nécessaires pour recruter du personnel bilingue et offrir à ses employés des cours de langue afin que tous ses bureaux régionaux puissent éventuellement servir le public de façon satisfaisante dans les deux langues officielles.

Il a également commenté la méthode utilisée par le ministère au sujet des appels que les clients francophones adressaient aux bureaux régionaux. Il pourrait arriver, selon lui, qu'un francophone unilingue ne comprenne pas les explications formulées par un anglophone unilingue l'informant qu'il peut obtenir de l'administration centrale un service en français. D'autre part, on ne saurait affirmer que les langues française et anglaise jouissent d'un statut égal dans une institution fédérale où seuls les anglophones obtiennent automatiquement des services dans leur propre langue. Le Commissaire a par conséquent recommandé au

Le ministère a manifesté de bonnes intentions, pour l'avenir. Il prévoit notamment des cours de perfectionnement dans les deux langues à l'intention du personnel et une formation linguistique intensive destinée aux surveillants occupant des postes bilingues. Le ministère a essayé d'« accroître » au maximum les communications internes bilingues. Selon le ministère, les notes de service sont bilingues et les employés ont été encouragés à travailler dans la langue officielle de leur choix. Les principaux services internes tels que le personnel, la biblio-

En novembre 1973, le ministère a convenu que son effectif bilingue était « encore insuffisant ». Il a déclaré au Commissaire qu'il avait fait « un grand effort pour accroître l'usage du français ». Le ministère a également mentionné dans ses réponses au questionnaire certaines des activités qui entrent dans le cadre de sa propre politique de bilinguisme. Le ministère a créé une division des langues officielles pour promouvoir sa politique en matière de bilinguisme et pour appliquer les directives du gouvernement. Apparemment, « les cadres de tous les niveaux doivent veiller à l'application de la politique et des programmes de bilinguisme ». C'est le coordonnateur des langues officielles qui est chargé d'évaluer la mise en œuvre de la politique.

## RÉSUMÉ

## TRAVAIL

Le ministère a accepté en principe ces recommandations et est en train d'y donner suite.

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deux concours qui visaient à nommer un chef au département des Arts et des Langues du collège. Elle a permis d'établir que le premier concours avait été annulé en raison de prétendus vices de procédure et d'erreurs dans la définition des exigences du poste, que le deuxième n'avait donné lieu à aucune nomination et qu'un troisième devait se tenir pour nommer un chef permanent au département. Les résultats douteux obtenus à la suite des deux premiers concours semblaient avoir produit un effet déplorable sur le moral tant du personnel que des étudiants. Le Commissaire a alors recommandé que le troisième concours soit tenu et la nomination effectuée sans autre délai.

Quant au second objet de la plainte, les représentants du Commissaire ont examiné les accusations spécifiques en détail et amorcé une enquête sur les domaines généraux de l'administration, du personnel et des services offerts aux cadets.

Le Commissaire a pu conclure qu'en général le collège avait déployé, dans le domaine de la formation des cadets, de sérieux efforts pour satisfaire les exigences de la Loi sur les langues officielles. A la suite de l'instruction, le Commissaire a envoyé au ministre un rapport où il faisait état de ses conclusions et dans lequel il formulait dix-neuf recommandations, lesquelles visaient non seulement à corriger les infractions apparentes à la Loi sur les langues officielles, mais également à aider le ministre à concevoir une politique susceptible de faire respecter davantage, sur le plan de l'utilisation des deux langues officielles au collège, l'égalité de statut et des droits et privilèges de ces deux langues.

Le Commissaire a recommandé, par exemple, que les ordres du jour paraissent toujours en version bilingue et que les notes de service de caractère général, qu'elles soient destinées au personnel ou aux cadets, soient diffusées simultanément dans les deux langues officielles.

Le Commissaire a en outre recommandé que :

a) tous les écritaux, avis, rapports, formulaires et listes soient distribués simultanément dans les deux langues officielles et qu'on accorde à ces dernières la même importance quant à la présentation et à la diffusion;

b) le collège étudie la possibilité de fournir à certains membres du personnel une formation linguistique car le Commissaire estimait que, bien qu'il ne faille pas que tous les membres du personnel du collège soient bilingues, un nombre suffisant de ceux-ci devait néanmoins bien connaître l'une ou l'autre langue officielle, ou les deux, pour fournir, comme il se doit, un service adéquat et satisfaisant au personnel et aux cadets;

c) le collège offre, à tous les niveaux, des cours dans les deux langues, sauf dans des circonstances exceptionnelles, et que si, pour des raisons indépendantes de sa volonté, quelques cadets suivaient des cours dans

tant. Le Commissaire a accepté cette assurance mais a souligné qu'un surintendant anglophone pourrait ultérieurement avoir des problèmes relatifs à la langue de travail et même, éventuellement, à la langue de service.

*Dossier n° 961—Collège canadien de la garde côtière*

Un plaignant croit que le Collège canadien de la garde côtière, à Sydney (Nouvelle-Ecosse), a enfreint la Loi sur les langues officielles :

- 1) lors de deux concours tenus par le collège en vue de nommer un conseiller pédagogique qui ferait fonction de chef de département des Arts et des Langues;
- 2) lorsqu'il n'a pas accordé un statut égal à la langue française dans les services et les installations qu'il offre aux cadets et aux membres du personnel du collège;

- a) en n'étant pas en mesure de donner tous les cours de formation professionnelle dans les deux langues officielles;
- b) en ne permettant pas que les étudiants francophones rédigent leurs examens dans leur propre langue et que les traducteurs du collège en donnent une version anglaise;

- c) en n'accordant pas aux étudiants francophones convoqués pour recevoir une réprimande ou des sanctions disciplinaires le droit de plaider leur cause dans leur propre langue;

- d) en n'autorisant pas les membres unilingues francophones à participer aux réunions obligatoires du personnel, qui sont tenues exclusivement en anglais;

- e) en ne donnant pas suffisamment d'encouragement et de possibilités aux membres du personnel désireux de suivre des cours de langue intensifs offerts par le Bureau des langues de la Commission de la fonction publique.

Une analyse préliminaire de cette plainte a indiqué que, étant donné que la question fondamentale de l'égalité de statut et des droits et privilèges des deux langues officielles était en jeu, l'instruction ne pouvait se restreindre aux griefs énoncés par le plaignant.

En conséquence, le Commissaire a décidé que deux agents de son Service des plaintes, accompagnés d'un observateur du ministère, visiteraient le collège pour instruire les griefs du plaignant et déterminer si oui ou non le collège fournissait au public, conformément aux dispositions de la loi, des services dans les deux langues officielles.

La première étape de l'instruction a porté sur la vérification du bien-fondé des déclarations du plaignant relativement à la tenue des

Les permis d'élèves-pilotes étaient déjà rédigés en français et en anglais. Les questions d'examen, revues par le Bureau des traductions, étaient disponibles depuis plusieurs années dans les deux langues officielles. Le Commissaire a été heureux d'apprendre que les questions d'examen et les permis destinés aux élèves-pilotes pouvaient s'obtenir en français et en anglais et que des licences et des formules d'annotation bilingues seraient bientôt utilisées. Il a recommandé de prendre les mesures nécessaires pour que ces dernières puissent être utilisées au plus tard le 31 mars 1973.

Au sujet du service bilingue que la Division des normes et règlements de vol devait offrir au public, le Commissaire a noté l'intention du ministère d'utiliser son programme de formation linguistique et de recruter du personnel bilingue pour répondre aux exigences de la Loi sur les langues officielles. Il a demandé que le ministère lui transmette, avant la fin de l'année financière 1972-1973, un rapport décrivant les progrès réalisés.

Quant aux exigences linguistiques du concours n° 72-2352, le Commissaire a déclaré être d'avis que l'annonce aurait dû mentionner que le candidat devait être bilingue.

- Un francophone proteste contre le fait que deux affiches distinctes publiées par le ministère et annonçant des postes de niveaux PM-2 et PM-6 indiquent que la connaissance de l'anglais est essentielle mais ne mentionnent rien au sujet de la connaissance du français. A son avis, la nature des fonctions décrites dans les annonces exige clairement la connaissance des deux langues officielles.

Le Commissaire a déclaré que le ministère devrait réexaminer les exigences linguistiques des deux postes, à la lumière des dispositions de l'article 9 (1) de la Loi sur les langues officielles, car les activités de ces postes s'exerçaient à Ottawa ou dans des districts bilingues proposés.

Le ministère a admis que le poste au niveau PM-2 exigeait une capacité bilingue et a modifié l'affiche de façon à y indiquer que deux postes sur les six annoncés exigeaient la connaissance des deux langues officielles. Il n'estimait pas cependant que le titulaire du poste PM-6 avait besoin de connaître les deux langues officielles, étant donné qu'il y aurait du personnel bilingue au sein de l'unité.

Le Commissaire n'était pas entièrement satisfait des explications du ministère car, vu que les employés bilingues ne seraient pas engagés immédiatement, le surintendant d'une unité unilingue anglaise pourrait avoir à communiquer avec des sous-sections disséminées dans tout le Canada avant que le personnel bilingue de l'unité soit en poste.

Le ministère a assuré le Commissaire que l'établissement de la capacité bilingue de l'unité serait antérieur à la nomination du surinten-



• Le plaignant ne comprend pas pourquoi le concours n<sup>o</sup> 72-2352 du ministère, pour le poste d'inspecteur de l'aviation civile, ne mentionnait pas qu'il fallait un titulaire bilingue étant donné que, selon lui, le candidat devait être capable d'établir et de maintenir des relations avec diverses organisations, dont quelques-unes utilisaient habituellement le français dans l'exercice de leurs fonctions. Il exprime en outre des doutes quant à la capacité de la Division des normes et règlements de vol de fournir un service satisfaisant au public francophone car moins de 10 p. 100 de son personnel, semblait-il, était bilingue. Le plaignant est d'avis qu'effectivement, compte tenu de sa faible capacité bilingue, la Section des voies aériennes ne pouvait que fournir un service inapproprié, établir peu de relations, offrir un service de traduction de faible qualité ainsi que des licences, des formules d'annotation et des questionnaires unilingues anglais.

Le ministère a répondu que le poste exigeait que le titulaire puisse nouer et maintenir des relations avec l'Organisation de l'aviation civile internationale et l'ensemble de l'industrie aéronautique et que, selon lui, dans ce domaine, la majeure partie des communications externes, y compris la correspondance et les rapports, avait toujours été rédigée en anglais. L'avis de concours préparé par le ministère ne mentionnait pas d'exigences linguistiques car il était entendu que les candidats francophones seraient traités sur le même pied que les anglophones unilingues s'ils possédaient les aptitudes techniques nécessaires et si leur connaissance de l'anglais leur permettait de répondre aux exigences du poste. Le ministère a assuré le Commissaire que la correspondance française de routine pouvait être traduite dans la division même, mais que les documents juridiques étaient toutefois traduits par ses services officiels de traduction.

Quant au personnel de la Division des normes et règlements de vol, le ministère a déclaré que sur un total de cent quinze employés réguliers, sept inspecteurs de la Section de l'aviation et huit membres de la catégorie de soutien étaient bilingues. Par ailleurs, dix-neuf inspecteurs de la Section de l'aviation et six employés des services de soutien étaient censés suivre alors des cours de langue. Le ministère a ajouté qu'il avait l'intention de recruter des candidats qualifiés aptes à offrir des services bilingues là où il le fallait et, en outre, d'utiliser le programme de formation linguistique pour répondre aux exigences de la Loi sur les langues officielles.

Le ministère a déclaré qu'il préparait des licences et des formules d'annotation bilingues et qu'il les utiliserait dès qu'elles seraient prêtes.

ment en anglais et signés « Canada Transport ». Il mentionne de plus que des fautes d'orthographe ou des termes incorrects, comme par exemple « passagers autorisés seulement », « salle de bain », etc., émaillent certains écrits en français à l'intérieur de l'aéroport. Le ministère a répondu qu'il avait demandé que les écrits soient corrigés. Tous les bureaux régionaux mènent en outre des enquêtes pour déterminer le nombre total d'écrits bilingues nécessaires dans les aéroports de leurs secteurs.

*Dossier n° 1549—A North Bay et Kapuskasing*

Un francophone signale que certains écrits du ministère aux aéroports de North Bay et de Kapuskasing ne sont rédigés qu'en anglais.

Voici quelques exemples recueillis à North Bay :

- 1) à l'entrée qu'empruntent les personnes qui arrivent de la zone d'atterrissage un écrit indiquant aux pilotes de sonner la cloche pour communiquer avec la tour de contrôle entre 24 h et 7 h;
- 2) trois écrits placés à l'intérieur du bâtiment de l'aéroport relatifs au retrait des bagages;
- 3) un écrit installé au bureau de retrait des bagages, marqué : « Warning, remove control belt and keep off »;
- 4) un écrit apposé dans l'édifice de l'aéroport marqué : « This building closed midnight to seven A.M. daily »;
- 5) un écrit qui indique : « Spectator deck »;
- 6) un écrit rédigé en ces termes : « Construction branch engineering Office ».

A Kapuskasing, un écrit apposé à l'entrée de l'aéroport se lit comme suit : « Kapuskasing Airport owned and operated by the Department of Transport ».

Le ministère a informé le Commissaire qu'il demandait à son personnel de Toronto de veiller à ce que la correction de ces écrits entre dans le cadre de son programme de signalisation bilingue.

*Dossier n° 1635—A Sudbury*

Un francophone signale qu'à l'aéroport un écrit unilingue anglais se lit comme suit : « Department of Transport Aeradio and Weather Office ».

Le ministère a déclaré que son bureau régional de Toronto veillerait à ajouter une traduction française de l'écrit.

Un francophone rapporte que la majorité des écriteaux apposés à l'aéroport sont rédigés uniquement en anglais. Il déclare que le seul écriture officielle à l'extérieur (face aux pistes) se lit : « Department of Transport, Timmins Airport ». Il signale également que les panneaux de signalisation au parc de stationnement sont souvent rédigés exclusivement

*Dossier n° 1287—A Timmins*

Le ministre a fait savoir au Commissaire que l'installation des pictogrammes se poursuivait à l'aéroport, et que des écriteaux bilingues avaient été placés dans l'aérogare II et que la signalisation routière était pratiquement achevée.

Le plaignant affirme que les reçus du parc de stationnement et les reçus et menus du restaurant de l'aéroport sont en anglais seulement. Le ministre se proposait de rencontrer les concessionnaires dans le but de régler ces problèmes. Le Commissaire a recommandé que toutes les mesures soient prises pour trouver une solution satisfaisante.

Le 16 octobre 1973, le ministre a informé le Commissaire que le parc de stationnement avait fait le nécessaire pour obtenir des reçus bilingues. Quant au restaurant, il se disposait à offrir à sa clientèle des menus et des reçus dans les deux langues officielles.

• Un correspondant francophone prétend que des écriteaux rédigés uniquement en anglais sont apposés dans la section de réclamation des bagages à l'aéroport.

Le ministre a répondu que ses fonctionnaires de Toronto étaient au courant de la situation et que la correction des écriteaux entrerait dans le cadre de son programme de signalisation bilingue.

Le Commissaire a demandé au ministre quand la mise en application de ce programme serait terminée et a ajouté qu'il ne comprenait pas la raison du délai puisque les échéances prévues par le ministre étaient depuis longtemps passées.

Le ministre a transmis au Commissaire un rapport sur la mise en œuvre du programme, rapport qui tenait compte également des recommandations formulées l'année précédente par le Service des études spéciales. Il a exprimé ses regrets pour le retard apporté à l'application intégrale des recommandations mais a ajouté qu'il redoublerait d'efforts en ce sens.

Le Commissaire a subéquemment rencontré le ministre des Transports et a discuté de ces questions avec lui.



phones et indiquant clairement dans les deux langues officielles où se trouvent le citrage noir et le citrage brun.

• Un francophone prétend avoir vu à l'aéroport un écriteau uniquement en anglais prévenant le public du danger de glisser sur les parquets mouillés. Le plaignant, estimant que les francophones unilingues se brisent aussi facilement le cou ou les jambes que les anglophones, signale ce fait au Commissaire.

Le ministère a répondu que les mesures nécessaires avaient été prises pour remédier à cet état de choses.

#### *Dossiers nos 757, 1281, 1581—A Toronto*

• Des représentants d'une association franco-ontarienne de passage à l'aéroport déclarent qu'une trentaine d'écriteaux ne sont présentes qu'en anglais, que l'unique librairie compte environ 5 000 volumes dont 40 seulement sont en français, que le menu de chacun des restaurants n'est rédigé qu'en anglais excepté celui du restaurant établi sur le toit, qu'aucune annonce d'intérêt général (il y en eût à peu près 130) ne fut faite dans les deux langues pendant leur attente qui dura environ 5 heures.

Le ministère a pris dès l'automne 1971 les mesures nécessaires pour que tous les écriteaux à l'intérieur de l'aéroport deviennent bilingues en mars 1972. Cependant, l'entrepreneur s'est heurté à des retards imprévus et le ministère a dû faire pression pour que le travail soit terminé le plus rapidement possible.

Le ministère a fait savoir au Commissaire qu'il n'avait aucun contrôle sur les annonces concernant le trafic aérien (arrivées, départs, etc.) car celles-ci relevaient des compagnies aériennes. Les annonces de nature générale étaient émises par le Service des renseignements. A la suite d'une recommandation antérieure du Commissaire, le ministère s'est efforcé de ne recruter que du personnel bilingue afin d'être en mesure d'assurer en permanence des services dans les deux langues officielles.

Le ministère a ajouté que les services des concessionnaires occupant un emplacement en vertu d'un bail ne tombaient pas sous sa responsabilité directe et qu'il devait attendre l'expiration des baux en 1974 pour exiger, conformément à la Loi sur les langues officielles, que les concessionnaires recrutent des employés bilingues. Le libraire a fait savoir au ministère qu'il suivrait l'évolution de la demande de livres en français et veillerait à y répondre.

D'autre part, les restaurateurs ont précisé que même s'ils offraient déjà un menu bilingue dans le restaurant établi sur le toit, il ne leur était pas possible de le faire à la cantine à cause des changements quoti-

parc de stationnement et du restaurant. L'un d'eux signale que l'écran identifiant le Centre des télécommunications et du système électronique est rédigé uniquement en anglais.

Le ministère a informé le Commissaire qu'il avait donné ordre aux exploitants du parc de stationnement et au restaurateur d'utiliser pour les reçus un tampon bilingue jusqu'à épuisement des stocks, après quoi des reçus imprimés dans les deux langues seraient employés.

Trois mois plus tard, un des plaignants signalait au Commissaire que les reçus du parc de stationnement, administré par un nouveau concessionnaire, étaient toujours unilingues anglais.

Le ministère a expliqué que la compagnie avait accepté de se conformer à ses directives mais pour des raisons qu'il ignorait les nouveaux reçus furent imprimés uniquement en anglais. Le ministère a alors émis une nouvelle directive pour que les reçus soient remplacés immédiatement par d'autres bilingues. Il a fait parvenir au Commissaire une photocopie de ceux-ci.

Le ministère a également fait enlever l'écran unilingue anglais identifiant le Centre des télécommunications et du système électronique et a affirmé qu'il verrait à ce qu'un écran répondant aux exigences de la Loi sur les langues officielles soit bientôt mis en place.

• Un francophone se plaint de l'unilinguisme anglais d'un livret d'assurance qu'il s'est procuré dans une machine distributrice à l'aéroport.

L'instruction a révélé que le concessionnaire modifiait ses machines distributrices afin de pouvoir offrir des polices d'assurance en français. Le Commissaire a recommandé au ministère de s'assurer que des modifications similaires soient apportées aux machines distributrices de livrets d'assurance placées dans tous les aéroports fédéraux.

Le 16 octobre 1973, le ministère a informé le Commissaire que la société d'assurance concernée rédigeait des polices d'assurance bilingues et qu'elle comptait avoir terminé ce travail le 1<sup>er</sup> janvier 1974. Voici là, les clients francophones pouvaient se procurer au comptoir des polices d'assurance en langue française.

• Un francophone se plaint que les instructions sur la machine à citer les chausssures dans la salle de toilette pour hommes à l'aéroport sont rédigées uniquement en anglais. Apparemment, les anglophones peuvent citer leurs chausssures en brun ou en noir mais non les francophones. Ces derniers peuvent toujours prendre la chance de mettre du noir sur leurs chausssures brunes ou vice versa, le hasard de la roulette russe ajoutant un certain piquant à l'utilisation de la machine.

Le ministère a fait inscrire des instructions bilingues sur la machine, éliminant ainsi tout danger de bigarrure pour les chausssures des franco-

Au cours de juin 1972, le concessionnaire a fait paraître, sans succès, une offre d'emploi pendant trois semaines dans les trois quotidiens de la capitale et, dans un effort supplémentaire pour recruter des serveuses bilingues, il a augmenté les salaires en plus d'offrir le transport à titre gratuit.

• Deux traducteurs francophones au service d'un organisme fédéral téléphonent à une compagnie qui vend à l'aéroport des polices d'assurance-accidents et ne peuvent obtenir de réponse en français à une question relative à la traduction du terme technique *exposée*. Ils ajoutent qu'ils ont ensuite parlé en anglais à la représentante de la compagnie et que celle-ci a déclaré ne pas les comprendre davantage. D'après les plaignants, la représentante a affirmé qu'elle ne disposait pas de textes français et qu'elle n'utilisait pas cette langue dans son travail.

Le président de la compagnie a écrit au ministère pour dénier les assertions des plaignants et lui a transmis copie d'une lettre signée par sa représentante qui y affirmait n'avoir compris qu'à la fin d'une seconde conversation téléphonique que ses interlocuteurs discutaient d'assurance et avoir associé ces appels à ceux qu'elle avait reçus auparavant de la part de gens importuns. Elle a de plus fait savoir que, même si elle ne parlait pas couramment le français, elle parvenait à servir assez bien le public francophone au comptoir.

Le ministère a accepté les explications de la compagnie en réponse aux dires des plaignants. Toutefois le bureau du Commissaire a jugé bon de rencontrer les traducteurs dans le but de clarifier certains points, étant donné que les deux versions de l'incident variaient sensiblement. Un seul des deux traducteurs a pu être rejoint, le second poursuivant alors des études à l'étranger.

A cette rencontre, le traducteur a maintenu sa version de l'incident en admettant que de son côté la compagnie continuerait à soutenir son point de vue. Face à cette impasse, il a décidé qu'il serait inutile de poursuivre sa plainte.

On a toutefois constaté qu'à l'aéroport d'Ottawa aucune formule de demande d'assurance n'était rédigée en français et qu'aucun document ou autre feuillet d'information ne pouvaient y être obtenus en français. De plus, au comptoir de la compagnie d'assurance, le personnel apte à offrir des services bilingues était restreint.

La compagnie d'assurance a par la suite modifié ses machines distributrices afin que des polices d'assurance rédigées en français et en anglais accompagnées de directives bilingues soient en vente.

• Des francophones et un représentant d'une association culturelle francophone se plaignent de l'unilinguisme, à l'aéroport, des rebus du



naire qui exploitait le parc de stationnement avait déjà commandé des écriteaux bilingues où figuraient les tarifs et autres renseignements utiles.

*Dossiers nos 1271, 1424—Au Nouveau-Brunswick*

• Le plaignant attire l'attention du Commissaire sur les écriteaux unilingues anglais sur les portes de l'aérogare de Moncton.  
Le ministre a demandé à ses représentants régionaux de corriger la situation. Le Commissaire a recommandé que ce travail soit terminé au plus tard le 31 mars 1973. En fait, le ministre ne donna suite à cette recommandation que six mois plus tard.

• Un francophone signale que tous les écriteaux apposés dans le parc de stationnement à l'aéroport de Fredericton sont rédigés uniquement en anglais.  
Le ministre a informé le Commissaire qu'il avait demandé à son bureau régional de prendre les mesures nécessaires pour rectifier la situation.

*Dossier no 1282—A Québec*

Le plaignant signale en septembre 1972 que plusieurs écriteaux à l'aéroport de l'Ancienne-Lorette sont en anglais seulement.  
A la suite de l'intervention du Commissaire, le ministre a entrepris de faire un relevé des écriteaux dans tous les aéroports administrés par le gouvernement fédéral. Le 16 octobre 1973, le Commissaire a été informé que les écriteaux à la vue du public à l'Ancienne-Lorette étaient devenus bilingues.

*Dossiers nos 932, 1107, 1222, 1232, 1254, 1269, 1280, 1335, 1274, 1326, 1606—A Ottawa*

• Un francophone, en avril 1972, souligne l'unilinguisme des menus et du service aux restaurants de l'aéroport à Uplands.  
Le mois suivant, le ministre informait le Commissaire que le bureau régional prendrait sans délai des mesures afin de rendre les menus bilingues, ce qui fut fait en août.  
En ce qui concerne le service, le ministre a indiqué que le concessionnaire, pour recruter des employées bilingues, faisait face aux difficultés suivantes : éloignement de l'aéroport et pénurie de transport, obligation pour certaines serveuses d'accepter le premier poste du matin ou le dernier poste de la soirée, ce qui éliminait toutes les personnes ne possédant pas leur propre moyen de transport, pourboires moins généreux que dans les restaurants du centre-ville, ouverture de plusieurs nouveaux hôtels qui ont drainé la main-d'œuvre bilingue.

tère a fait des efforts considérables pour mieux respecter l'égalité de statut des deux langues officielles au Collège de la garde côtière canadienne.

## PLAINTES

### I. Aéroports

*Dossiers nos 818, 1330—A Halifax*

Un plaignant, lors d'une visite à l'aéroport international de Halifax, constate que toutes les annonces concernant les vols et autres services au public sont faites exclusivement en anglais et que, même si de nombreux écriteaux sont rédigés soit en anglais et en français, soit en anglais, en français et en espagnol, un grand nombre ne le sont qu'en anglais.

Le ministère a informé le Commissaire qu'il était en train de rendre tous les écriteaux bilingues. Il a expliqué que son personnel ne transmettait des messages au microphone que dans des circonstances exceptionnelles et que les employés des compagnies aériennes faisaient les annonces concernant les vols et autres services au public. D'autre part, s'il fallait affecter des employés bilingues au service de limousine, le ministère insérerait dans les futurs baux une clause stipulant que le concessionnaire devrait engager du personnel parlant les deux langues officielles.

Le Commissaire a demandé que lorsque les écriteaux auront été remplacés le ministère l'en informe. Il a recommandé que toutes les informations de nature générale émanant du ministère soient formulées dans les deux langues officielles.

Le ministère a subseqüemment informé le Commissaire qu'il avait reçu la plupart des écriteaux qui devaient être apposés dans l'aérogare et à l'extérieur de l'immeuble. Il a également rappelé aux concessionnaires les exigences de la Loi sur les langues officielles et a proposé que, là où c'était nécessaire, de corriger ou de modifier leurs écriteaux. Le ministère a en outre déclaré que la compagnie exploitant les limousines ne pouvait recruter du personnel bilingue et pour cette raison continuait de fournir des informations en anglais.

• Un francophone se plaint du fait que tous les écriteaux apposés dans le parc de stationnement de l'aéroport international de Halifax sont rédigés uniquement en anglais.

Le ministère a répondu au Commissaire que des écriteaux de signalisation bilingues seraient installés à l'aéroport et que le concession-

les deux langues. Là encore, il semble que le ministère soit plus préoccupé de savoir quand il ne doit pas fournir de services bilingues que de contribuer positivement à l'agrément des Canadiens. En bref, au lieu de chercher des moyens raisonnables pour servir le public, comme la loi l'exige depuis maintenant si longtemps, il semble toujours obsédé par son envie de se « dépeîter de l'entrave linguistique ».

Le ministère et le Commissaire interprètent aussi différemment la question des services bilingues fournis par les concessionnaires dans les aéroports nationaux importants. À partir d'octobre 1973, les critères choisis par le ministère pour déterminer la demande à ces aéroports n'avaient pas reçu d'approbation définitive mais le classement préliminaire qu'il avait proposé des aéroports où la demande pouvait, à toutes fins utiles, être présumée, n'avait frappé le Commissaire ni par son imparzialità ni par sa générosité. Cette question est néanmoins toujours en suspens et le ministère est prêt à considérer toute contre-proposition. Le fond du problème, c'est que tout en maintenant compte des difficultés administratives, les services des concessionnaires, en dehors d'Ottawa, de Montréal, de Québec, de Moncton et de Sept-Îles laissent toujours beaucoup à désirer et, jusqu'en novembre 1973, le ministère n'avait donné aucun signe indiquant qu'il voulait adopter des mesures énergiques pour améliorer la situation.

Le Commissaire estime que la loi oblige clairement le ministère ou ses locataires à fournir partout des services bilingues appropriés aux voyageurs, à moins que le ministère puisse établir qu'il n'y a pas de « demande importante », ou que la demande (de services bilingues) est si irrégulière qu'elle ne les justifie pas. Une interprétation raisonnable de cette disposition ne doit pas aller jusqu'à son abrogation; l'énergie dépensée entre-temps pour démontrer que la demande n'est pas « importante » pourrait mieux s'employer à essayer de satisfaire une demande présumée.

À la suite de ces plaintes, le Commissaire a adressé 44 recommandations au ministère. Celles-ci ont été appliquées dans des délais raisonnables. Le ministère a fait des progrès dans la traduction de certains documents — comme les brevets de pilote — relatifs à l'aviation. Le Commissaire avait recommandé que tous ces documents fussent disponibles dans les deux langues officielles avant le 31 mars 1973. Au mois d'octobre 1973, le ministère faisait savoir que 44 des 58 formulaires étaient, ou allaient être, disponibles dans les deux langues officielles. Le ministère avait également accompli des progrès appréciables dans l'application des recommandations formulées par le Commissaire à propos du Centre de formation d'opérateurs radio. Enfin, le minis-



treprise en octobre 1973 par des collaborateurs du Commissaire, accompagnés de ces aéroports, la signalisation intérieure était entièrement ou en grande partie bilingue, la signalisation extérieure de six sur dix de ces aéroports n'était encore, à cette date, que partiellement bilingue. Cette inspection *de visu* d'aéroports importants laisse perplexes, jusqu'à plus ample informé, quant à la signalisation des quelque 75 autres aéroports contrôlés par le ministère des Transports.

Les caprices des réseaux d'annonces par haut-parleur des aéroports internationaux et nationaux continuent, pour leur part, à causer quelque inquiétude. Les annonces du M.D.T. sont, paraît-il, faites dans les deux langues officielles et, en théorie, dans la langue même du passager intéressé (bien qu'il n'ait pas été clairement établi comment exactement celle-ci est déterminée). Toutefois, une difficulté considérable surgit à propos des autres annonces concernant les mouvements des aéronefs, car ce sont les compagnies aériennes qui font ces annonces et non pas le ministère. Ce dernier n'a approché que très récemment les compagnies aériennes et les autres organismes qui utilisent son réseau d'annonces par haut-parleur pour qu'ils respectent les règles de politesse et la loi en usage dans un pays bilingue. Malgré tout, en octobre 1973, à l'aéroport international de Toronto, les collaborateurs du Commissaire, après avoir écouté trois heures durant les annonces par haut-parleur en compagnie de responsables du M.D.T., durent constater qu'aucune de ces annonces n'avait été faite en français. Le ministère devra, pour que les annonces soient bilingues, ou bien se servir du levier que constituent les contrats ou bien créer un service centralisé de communications qui diffusera toutes les annonces par l'entremise d'un personnel ayant les connaissances linguistiques nécessaires.

Dans son deuxième rapport annuel, le Commissaire écrivait, à propos des services fournis aux voyageurs par les concessionnaires, qu'« il importe que le ministère adopte à cet égard une politique claire (...). » En octobre 1973, le ministère précisait qu'à l'avenir, tous les contrats et baux passés avec des concessionnaires et relatifs à des aéroports où la demande de services bilingues est importante contiendront une clause exigeant des concessionnaires qu'ils assurent leurs services dans les deux langues; il faisait également savoir qu'il avait établi à l'intention des administrateurs régionaux des normes et des directives pour les aider à préciser leurs besoins. Toutefois, bien qu'en pratique le ministère affirme présumer l'existence d'une « demande importante » dans tous les aéroports internationaux, il propose toujours de distinguer des degrés de services bilingues à ces aéroports, suivant la demande, déterminée sur place. De l'avis du Commissaire, cette attitude n'est pas conforme à l'esprit de la loi selon laquelle les voyageurs canadiens devaient, dans leur propre pays, toujours être servis également, dans

Si on peut observer certaines améliorations, l'échéance du « Programme de signalisation bilingue », qui a récemment remplacé les méthodes empiriques du ministère, n'en a pas moins été repoussée au 4 mars 1974. D'autre part, une tournée des aéroports internationaux en-

soient partout assurés dans les deux langues. termes clairs et simples, exige que les services destinés aux voyageurs de la loi, le ministère ne semble avoir rien compris à l'article 10 qui, en anglais seulement. En somme, quatre ans et demi après la promulgation parleur et les services des concessionnaires continuent à être surtout en réformes récentes, les services aux guichets, les annonces par haut-fixées pour rendre ses panneaux et écritureaux bilingues. Malgré quelques Le ministère a laissé passer les échéances qu'il s'était lui-même compromis l'efficacité de ces efforts.

de forces dans la planification et la coordination centrales aient parfois considérables et louables, il semble que des déficiences et un gaspillage aux niveaux des administrations locales et des cadres moyens ont été prendre les mesures appropriées. Même lorsque les efforts individuels d'aiguillon répétées plutôt qu'à anticiper la demande de services et à semble refléter une tendance à réagir avec réticence face aux coups et évasif vis-à-vis des recommandations du Commissaire. Son attitude tion au Commissaire, le ministère, tout compte fait, s'est montré chicanier-années. Bien que le ministre lui-même ait volontiers offert sa collaboration 1971, et de l'instruction des plaintes reçues au cours des trois dernières d'Ottawa et de Toronto, effectuées dans le courant des années 1970 et lées à la suite de deux études spéciales des aéroports internationaux

Le ministère a appliqué avec lenteur les recommandations formu-

## APPRECIATION

TRANSPORTS — « A pied, à cheval ou en voiture »

la réception de la plainte, soient prêts. panneaux bilingues, dont la fabrication était d'ailleurs commencée avant raison de la plainte, l'organisme a retiré l'écriteau jusqu'à ce que des pour inciter d'autres divisions à l'utiliser à d'autres fins. Cependant, en le l'American Economic Association et de l'American Economic Society. Cet écriteau a subéquemment été placé à l'entrée de l'édifice erts américains, économistes, statisticiens et économétriciens, membres ervi à présenter le système de géocodage canadien à un groupe de visi- Statistique Canada a expliqué que l'écriteau avait tout d'abord apercevoir.

anglais, présentant les avantages du géocodage. Il signale que toutes les personnes qui entrent ou travaillent dans l'édifice peuvent très bien

• Une francophone fait grief à Statistique Canada de lui avoir envoyé une facture tapée en anglais; elle se rappelait pourtant très bien avoir rédigé sa demande en français.

L'organisme s'est excusé de son erreur et a expliqué que sa Section de la distribution des publications veillait à assurer que tous les documents expédiés à un client soient rédigés dans la même langue que la commande. Malheureusement, il se glissait parfois des erreurs et Statistique Canada a promis de prendre des mesures pour en prévenir la répétition.

*Dossiers nos 1189, 1696—Communications internes*

• Un francophone se plaint de ce qu'une directive destinée au personnel de la Division du traitement des données n'est rédigée qu'en anglais.

L'organisme a promis de faire préparer une version française dans les plus brefs délais.

• Un fonctionnaire de Statistique Canada se plaint d'avoir reçu en anglais seulement l'organigramme publié en janvier 1973.

L'organisme a informé le Commissaire qu'il n'avait reçu qu'à la fin de janvier du Conseil du trésor l'autorisation d'effectuer certains changements de structure. C'est pourquoi il lui avait été impossible d'obtenir pour les réunions du 31 janvier et du 1<sup>er</sup> février la traduction du nouvel organigramme dont il devait se servir pour expliquer au personnel la réorganisation. Il a dû se contenter d'exemplaires unilingues. Il a ajouté que les notes explicatives distribuées lors des deux réunions d'information étaient bilingues et que, dès février 1973, un nouvel organigramme bilingue avait été distribué.

*Dossier no 1327—Annuaire téléphonique*

Un plaignant signale que le nom de Statistique Canada ne figure qu'en anglais dans l'annuaire téléphonique d'Ottawa.

Le conseiller en bilinguisme de l'organisme a révélé au Commissaire que des mesures avaient déjà été prises pour que le nom de Statistique Canada soit inscrit en anglais et en français dans la prochaine édition de l'annuaire. De plus, les noms des bureaux régionaux disséminés dans tout le Canada paraîtront eux aussi de la même façon dans les nouveaux annuaires.

*Dossier no 1669—Écriture*

Un plaignant prétend que dans l'entrée de l'édifice principal de Statistique Canada est installé un grand écriteau, rédigé uniquement en



grammaire, l'absence d'accents, l'utilisation incorrecte des lettres majuscules, l'inexactitude des titres et autres erreurs semblables.

Statistique Canada a admis la pauvreté du français de sa publication *La Classification des professions, Recensement du Canada 1971*, inspirée de la *Classification et dictionnaire canadiens des professions*. Le titre même deviendrait *Classification canadienne des professions* et ce changement appellait une modification analogue du titre du manuel du recensement. Cette publication devait être diffusée en octobre 1972. Au moment où Statistique Canada a répondu au Commissaire, le Secrétaire d'Etat était à en préparer la version française.

Malheureusement des difficultés techniques et les courts délais qui avaient été impartis à Statistique Canada pour la présentation de son édition de 1971 ne lui avaient pas permis d'utiliser les accents, mais ceux-ci figureront dans la prochaine édition du manuel de codage.

Tous les mots français et anglais employés commençaient par des lettres majuscules. La machine pour la composition avait été programmée à cette fin car Statistique Canada croyait que cette méthode permettrait d'obtenir des exemplaires plus lisibles que si des caractères en lettres majuscules étaient seuls utilisés. Il en était résulté un français très médiocre, ce qui également serait corrigé dans la prochaine édition du manuel.

Statistique Canada a expliqué que les termes français ou anglais utilisés dans le manuel étaient ceux dont on se servait le plus fréquemment dans les questionnaires de recensement, indépendamment de leur bonne ou de leur mauvaise qualité. L'emploi de ces termes lui était apparu comme une nécessité puisque l'utilité du manuel en tant que guide de codage en dépendait.

Le Commissaire a transmis au plaignant les explications détaillées fournies par Statistique Canada.

• Un francophone se plaint du retard apporté à la publication de la version française du *Census Data News* (Actualités du Recensement). Le statisticien en chef a attribué ce retard à une série de problèmes de traduction, de transcription et de correction qui avaient surgi lors de la préparation de l'exemplaire français, problèmes qui n'avaient pas été prévus lorsque la date de diffusion de la version anglaise avait été décidée. On a par la suite découvert qu'une annexe n'avait pas été traduite, ce qui avait causé un nouveau délai et par conséquent la version française n'a pu être diffusée que deux mois plus tard.

Pour éviter de telles difficultés à l'avenir, l'organisme a mis au point de nouvelles méthodes pour traduire, réviser et approuver les textes de ces bulletins d'information. Les prochains numéros devaient paraître simultanément dans les deux langues officielles.

• Un francophone signale la piètre qualité du français d'une publication de Statistique Canada, soulignant de nombreuses fautes de

*Dossiers nos 1057, 1111, 1752—Publications*

rapport spécial au Parlement.

Le Commissaire a expliqué au plaignant qu'il n'était pas en mesure d'expliquer les incongruités qui s'étaient produites au cours du recensement du Canada mais qu'elles avaient motivé la présentation d'un

avait un accent juif.

alors rétorqué à l'employée qu'elle devrait parler le yiddish puisqu'elle donne, qu'il devrait parler français puisque son nom était français; il a reprises avant de l'obtenir. En outre, il s'est fait dire, à un moment à compléter et qu'il a dû en demander un rédigé en anglais à maintes fois de 1971. Il déclare qu'on lui a remis un questionnaire français façon de procéder de Statistique Canada au Québec lors du recensement de 1971. Un plaignant anglophone portant un nom français critique la

simultanément dans les deux langues officielles.

Le Commissaire a informé Statistique Canada que toutes les circonstances extraordinaires et évitables, être offertes presque

avant les formules françaises.

Statistique Canada avait distribué les formules anglaises bien

gaises. Statistique Canada avait distribué les formules françaises.

délais résultant de la traduction et de l'impression des formules françaises.

Statistique Canada a attribué cette anomalie en partie au manque

pas demandé de formules rédigées en français pour les écoles françaises.

des formules anglaises ou parce que le gouvernement provincial n'avait

demandé si cela s'est produit parce que Statistique Canada n'avait que

Statistique Canada. Des formules de Statistique Canada, rédigées uni-

menée par la Division de l'éducation, de la science et de la culture de

l'école de sa province ont reçu des lettres émanant du ministère de

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• Un francophone se plaint du fait qu'on lui a remis, à l'aéroport international de Winnipeg, un questionnaire et une enveloppe de Statistique Canada rédigés uniquement en anglais.

Statistique Canada a souligné qu'il existait également un questionnaire bilingue mais que, par inadvertance, il n'avait pas été envoyé aux agents des douanes à Winnipeg. Cette situation a depuis été corrigée.

• Une société francophone du Manitoba proteste contre le fait que l'adresse en français figurait sur le côté anglais de la formule ES2 (« Rien que trois petites questions ») qu'elle a reçue de la Division du travail de Statistique Canada. Deux francophones de Montréal formulent des plaintes analogues.

Statistique Canada a informé le Commissaire que la Section du recensement du commerce et des services avait eu des difficultés avec la question de la préférence linguistique. Comme il s'agissait d'une enquête quinquennale, l'organisme n'avait pas suffisamment de renseignements pour lui permettre de préciser la langue dans laquelle il pouvait communiquer avec les répondants inscrits sur les registres intermédiaires. Il était toutefois en train de consigner, d'après les questionnaires remplis, des informations sur la langue de communication qui pourraient être enregistrées sur ruban magnétique en vue d'enquêtes futures.

Statistique Canada a déclaré qu'on avait également entrepris d'établir, d'après les dossiers du ministère du Revenu national, un répertoire complet des entreprises du pays et qu'on y indiquerait la langue que le ministère du Revenu national utilisait dans les relevés de retenues sur les salaires. Quoique les rapports statistiques ne soient pas comparables aux relevés de retenues sur les salaires, cette information, jointe à celle qui provenait d'autres sources, aiderait Statistique Canada à préparer, selon les préférences linguistiques, sa liste d'envoi pour le prochain recensement sur le commerce en 1976.

Les plaignants ont été informés de ces mesures.

• Un membre d'une société franco-manitobaine reçoit de Statistique Canada un questionnaire et une lettre rédigés en anglais. Le plaignant se demande pourquoi l'organisme envoie des formules anglaises à une société dont l'objectif est de promouvoir la culture française.

Statistique Canada a répondu avoir relevé le nom de la société, inscrit en anglais, dans une revue de commerce publiée en anglais. L'organisme a également souligné que le questionnaire permettait au répondant d'indiquer sa préférence linguistique.



- (3) que Statistique Canada adopte une méthode de livraison prévoyant :
- (a) de laisser aux répondants un questionnaire rédigé dans la langue de leur choix dans tous les ménages où un membre de la famille est présent lors du passage de l'agent de recensement;
- (b) de ne laisser un questionnaire rédigé dans chacune des deux langues officielles, accompagné d'une note explicative, qu'après que le représentant du recensement aura effectué au moins une deuxième visite, dans le cas où il n'aurait trouvé personne lors de son premier passage, et que s'il est toujours impossible de déterminer quelle est la langue officielle que le répondant emploie de préférence;
- (4) que tous les représentants du recensement employés dans les districts déclarés bilingues, ou proposés à ce titre, soient bilingues;
- (5) que tous les représentants du recensement employés dans des régions qui ne sont ni déclarées districts bilingues ni proposés à ce titre, mais où vivent des communautés parlant la langue officielle la moins répandue, soient bilingues;
- (6) (a) que lorsqu'il faut retourner voir le répondant pour obtenir un complètement d'information, l'entretien ait lieu dans la langue qu'a utilisée le répondant pour remplir le questionnaire du recensement;
- (b) qu'il y ait, là où les représentants du recensement ne sont pas bilingues, du personnel bilingue à un niveau qui ne soit pas supérieur à celui de la circonscription électorale, pour assurer des services égaux dans les deux langues officielles;
- (7) que tous les commissaires au recensement employés dans les districts déclarés bilingues, ou proposés à ce titre, soient bilingues;
- (8) que les commissaires au recensement employés dans les régions qui ne sont pas des districts bilingues mais où résident des communautés parlant la langue officielle la moins répandue, soient bilingues;
- (9) que le programme de formation destiné aux commissaires au recensement comprenne l'étude approfondie des incidences qu'a la Loi sur les langues officielles sur le recensement de 1976;
- (10) que Statistique Canada s'efforce, avec l'aide du Commissaire aux langues officielles, d'entrer en rapport avec les groupes, les associations, les sociétés, etc., qui représentent les francophones ou les anglophones dans tout le Canada afin de leur exposer directement les plans adoptés pour mettre en application la Loi sur les langues officielles au cours du recensement de 1976;
- (11) que Statistique Canada veille à ce que tous les centres d'information par téléphone soient en mesure d'offrir des services dans les deux langues officielles;
- (12) que soient prévus les crédits et les années-homme supplémentaires nécessaires pour permettre l'application de la Loi sur les langues officielles à l'occasion du recensement de 1976 et de tout recensement ultérieur;
- (13) que dans la mesure où elles peuvent s'y appliquer, les recommandations faites dans le présent rapport soient également considérées comme portant sur tous autres recensements (y compris le recensement agricole) et sur les enquêtes que Statistique Canada pourrait entreprendre de temps à autre.

détermination. Selon le groupe d'étude, Statistique Canada pourrait ainsi, en osant bien ses efforts, les voir couronnés de succès et disposer du personnel bilingue voulu (recenseurs bilingues, ou une répartition judicieuse d'unilingues anglais et français). Tout en reconnaissant qu'il ne serait pas aisé de recruter, pour une très courte période, un personnel compétent capable d'occuper des fonctions de contrôle relativement difficiles, le groupe d'étude a fait remarquer que la majorité des exigences valant pour les agents recenseurs devraient également s'appliquer aux commissaires au recensement.

Selon les renseignements obtenus par le groupe d'étude, la campagne publicitaire menée par Statistique Canada pour familiariser la population canadienne avec les modalités du recensement de 1971 sera reconduite en 1976. Le seul obstacle à surmonter consistera à assurer, à travers le Canada, une distribution suffisante dans les deux langues officielles du matériel publicitaire. L'équipe a suggéré à Statistique Canada de communiquer avec les clubs, associations et groupes de langues française et anglaise, afin de leur exposer les modalités d'application de la Loi sur les langues officielles dans les opérations de recensement. Ainsi pourrait-on éliminer en bonne partie les causes de fiction apparues en 1971.

Pour le recensement de 1971, on avait instauré un certain nombre de centres régionaux de service auxiliaire téléphonique, chargés de répondre aux demandes de renseignements sur le recensement. Comme, dans l'ensemble, ce service a bien fonctionné, l'on envisage de l'offrir à nouveau en 1976.

En conclusion de son rapport, l'équipe d'étude faisait observer qu'il ne faudrait pas que des considérations financières (insuffisances des crédits ou des années-homme) viennent contrarier les efforts déployés par Statistique Canada pour respecter les dispositions de la loi concernant cet organisme. En outre, elle proposait à l'organisme d'appliquer, dans la mesure du possible, les conclusions et recommandations du rapport au cours des autres recensements et enquêtes qu'il aurait à effectuer à l'avenir, et tout particulièrement à l'occasion du recensement agricole.

Afin d'aider Statistique Canada à préparer son recensement de 1976 en conformité avec les exigences de la Loi sur les langues officielles, le Commissaire a formulé les treize recommandations suivantes :

(1) que pour le recensement de 1976 et les recensements ultérieurs, Statistique Canada adopte le principe qu'il existe partout au Canada une demande de services suffisante et régulière dans les deux langues officielles;

(2) qu'en 1976, on tienne un registre, par secteur de dénombrement, de tous les documents qui auront été remplis en français dans les secteurs anglophones et en anglais dans les secteurs francophones;

La conception et la présentation linguistique du questionnaire de 1976 posaient précisément à Statistique Canada l'un des problèmes les plus délicats à résoudre.

La solution évidente à un grand nombre des difficultés soulevées par sa « livraison » résidait bien sûr dans l'adoption d'un questionnaire bilingue. Mais l'équipe chargée de l'étude a appris que, pour des raisons techniques, tant dans le domaine postal que dans celui de l'état actuel de perfectionnement du matériel électronique servant au traitement des données, il n'était pas possible d'utiliser un questionnaire bilingue en 1976. Aussi, la seule solution réaliste, selon Statistique Canada, consistait-elle à établir des documents distincts dans chacune des langues officielles et à distribuer un seul questionnaire par ménage.

Si cette méthode est retenue, ce sera alors uniquement par le biais des modes de distribution adoptés que l'on devra pouvoir garantir à chaque destinataire la livraison d'un document rédigé dans la langue de son choix. Leur adoption implique, par ailleurs, que Statistique Canada accepte le principe qu'une demande suffisante et régulière de services dans les deux langues officielles existe d'un bout à l'autre du pays. Il conviendrait également de faire un relevé, par secteur de recensement, de tous les documents remplis dans la langue officielle minoritaire pour une région donnée (c'est-à-dire en français dans les régions à majorité anglophone et en anglais dans celles à majorité francophone), car la planification du recensement prévu pour 1981 s'en trouverait grandement facilitée.

Par ailleurs, la distribution de deux questionnaires par ménage comporte, aux yeux des spécialistes, un risque. En effet, certains répondants pourraient renvoyer les deux formulaires remplis, ce qui fausserait les données recueillies. De manière à contourner cet écueil et à prévenir les réactions négatives que pourrait susciter la double distribution, le Commissaire a suggéré qu'on joigne au questionnaire une courte note explicative sur les méthodes employées.

L'un des impératifs les plus délicats à respecter, aux termes de la Loi sur les langues officielles, dans la prestation de services au public, c'est en effet le droit du répondant à recevoir un questionnaire dans la langue de son choix. Et la tâche tout aussi complexe qui consiste à assurer les contacts personnels (c.-à-d. distribuer les formulaires et repasser pour recueillir des renseignements complémentaires) doit, elle aussi, se conformer aux dispositions de la loi. Il faudrait donc que les recenseurs travaillant dans les régions où résident des collectivités du groupe linguistique minoritaire soient bilingues. Cependant, dans le cadre de la « visite de rappel », Statistique Canada pourrait, dans une large mesure, décider du moment et des circonstances favorables pour recueillir les renseignements complémentaires, réduisant considérablement, par la même, le nombre d'agents bilingues nécessaires à cette



\* Voir le *Deuxième rapport annuel, 1971-1972*, pp. 283 et 284.

Cette étude a été entreprise à la demande de Statistique Canada pour aider cet organisme à se conformer aux dispositions de la Loi sur les langues officielles pour l'élaboration des modalités du recensement de la population et du logement de 1976.

L'enquête a essentiellement porté sur la conception et la distribution du questionnaire, la répartition du personnel régional de recensement et les programmes d'information et de publicité.

## ÉTUDE SPÉCIALE — ÉTUDE DES PROJETS POUR LE RECENSEMENT DE 1976

La majorité des plaintes reçues au cours de l'exercice financier 1971-1972 portaient sur les formules et la langue de service employées durant le recensement de 1971. Ces plaintes ont fait l'objet d'un rapport spécial du Commissaire au Parlement\*. D'autres plaintes reçues au cours des trois premiers exercices financiers comportaient des contraventions à la loi : mauvaise traduction en français, manque de service en français, emploi d'affiches et de formules unilingues anglaises. L'organisme s'est efforcé de régler ces plaintes d'une manière satisfaisante.

Le dernier aspect concerne les représentants du recensement et les commissaires travaillant dans le reste du pays. Alors que le Commissaire recommandait que des employés bilingues soient nommés partout où il existe une minorité parlant une langue officielle, Statistique Canada ne se propose d'en nommer que là où il y a des concentrations — 10 p. 100 au moins — de cette minorité. C'est encore là une mesure qui pourrait empêcher nombre de citoyens d'être servis dans leur langue. Quoi que le Commissaire ait fait plusieurs démarches en ce sens, l'organisme est resté sur ses positions et compte maintenir les limitations précitées au cours du recensement de 1976.

Les obstacles techniques apparemment insurmontables, utiliser des questionnaires bilingues et refuser d'en distribuer les deux versions quand le répondant n'a pas clairement indiqué la langue de son choix. Or, seule l'utilisation de questionnaires bilingues ou un recours plus poussé aux questionnaires anglais et français permettrait d'éliminer cette source de plaintes légitimes. La deuxième difficulté provient de ce que l'organisme n'envisage de recruter des représentants du recensement bilingues que pour les districts bilingues proclamés ou proposés, c'est-à-dire là où 10 p. 100 au moins de la population parlent la langue officielle minoritaire. Étant donné que la recommandation se rapportant à cet aspect ne prévoit pas cette distinction, il conviendrait d'affecter des représentants bilingues dans toutes les régions où l'on retrouve les deux communautés linguistiques.

L'organisme se propose de mettre en œuvre, au cours du recensement de 1976, des méthodes qui, par suite de difficultés d'ordre technique et administratif, ne permettront pas de tenir compte intégralement de l'égalité de statut des deux langues officielles telle que stipulée par la loi et comme le prescrivent les recommandations du Commissaire voulant que les services soient offerts automatiquement aux deux groupes linguistiques plutôt que sur demande à l'un d'eux (presque invariablement la communauté francophone). À moins que ce service ne soit automatiquement fourni dans les deux langues officielles lors du recensement de 1976, il subsistera des risques d'infraction à la loi et le Commissaire devra instruire les plaintes qui en résulteraient.

Au terme de la première étude spéciale, le Commissaire avait formulé sept recommandations portant sur la Division du recensement, la Division de l'information et le programme des publications. Sur trois recommandations qui concernent la Division du recensement, celle-ci compte, d'ici 1976, en appliquer deux qui traitent de l'information au moment du recrutement du personnel du recensement et des affiches publicitaires; la troisième, qui porte sur le recrutement des commissaires sera abordée plus loin, dans un paragraphe examinant les préparatifs du recensement de 1976. Statistique Canada a aussi appliqué deux recommandations intéressant la section des renseignements de la Division de l'information; l'une demandait que l'organisme soit inscrit dans les deux langues officielles dans l'annuaire téléphonique de la région d'Ottawa-Hull et l'autre, que la qualité des services fournis par le service des renseignements soit la même dans les deux langues.

Statistique Canada prévoit en outre donner suite aux recommandations relatives à la traduction et à la publication de ses rapports; ceux-ci devraient paraître en anglais et en français dès mars 1974, à l'exception de quelques vieilles éditions qui seront disponibles dans une seule langue jusqu'à ce que les stocks actuels soient épuisés et qu'une réimpression soit nécessaire. Le Commissaire espère toutefois que Statistique Canada prendra des mesures pour que ces rapports soient, eux aussi, traduits et diffusés dans les deux langues le plus rapidement possible. On trouvera dans le présent rapport treize recommandations faisant suite à la seconde étude, qui portait sur le recensement de 1976. L'agent ce compte en appliquer neuf et a expliqué pourquoi les autres ne le seront que partiellement. L'organisme a restreint l'application des recommandations dans trois cas. Le premier concerne la distribution des questionnaires. Bien que Statistique Canada ait retenu un mode de « livraison » de questionnaires apparemment plus satisfaisant que celui qu'elle avait utilisé au cours du recensement de 1971, bon nombre de citoyens risquent de se voir contraints de faire une demande spéciale pour recevoir le questionnaire dans la langue de leur choix. Cette situation va probablement se présenter car Statistique Canada ne peut, en raison

Statistique Canada a fait l'objet de deux études spéciales, l'une en 1971-1972, l'autre en 1972-1973. Cette dernière a été entreprise à la demande expresse de l'organisme et portait sur ses plans en vue du recensement de 1976. Promptitude et esprit de collaboration ont caractérisé la réaction de Statistique Canada aux recommandations de la première étude (reproduites dans le Deuxième rapport annuel) et aux plaintes reçues au cours de la période observée dans le présent rapport. C'est de plus en plus fréquemment dans les deux langues que sont fournis les services courants, tels les rapports techniques et les réponses aux demandes de renseignements faites par téléphone. Statistique Canada n'a toutefois pas réagi de façon aussi encourageante aux recommandations qui ont résulté de la deuxième étude.

## APPRECIATION

### STATISTIQUE CANADA — « Quoi de neuf, Pussycat ? »

Après avoir refusé de donner suite à cette recommandation, la Commission s'est ravisée et a accepté de confier le poste à une personne bilingue. Par la suite, elle a décidé de désigner le poste bilingue.

Le Commissaire a recommandé que la connaissance du français et de l'anglais soit une condition essentielle. Les fonctionnaires de travailler dans la langue officielle de leur choix. Les fonctionnaires linguistiques mais également un aspect lié à l'exercice du droit comportaient non seulement des responsabilités vis-à-vis des deux communautés. Cependant, au cours de l'instruction de la plainte, le Commissaire est arrivé à la conclusion que les fonctions du directeur exécutif de la connaissance du français, possédaient toutes les autres qualités requises. semblait injuste d'exclure du concours des personnes unilingues qui, sauf La Commission a tout d'abord informé le Commissaire qu'il lui

La Commission a tout d'abord informé le Commissaire qu'il lui semblait injuste d'exclure du concours des personnes unilingues qui, sauf la connaissance du français, possédaient toutes les autres qualités requises. Cependant, au cours de l'instruction de la plainte, le Commissaire est arrivé à la conclusion que les fonctions du directeur exécutif des communautés linguistiques mais également un aspect lié à l'exercice du droit des fonctionnaires de travailler dans la langue officielle de leur choix. Le Commissaire a recommandé que la connaissance du français et de l'anglais soit une condition essentielle.

Des plaignants portent à l'attention du Commissaire le fait qu'en août 1972 un concours en vue de combler le poste de directeur exécutif de la Commission n'exige sur le plan linguistique que la connaissance de l'anglais. Ils estiment que le titulaire du poste devra transiger de façon régulière avec des personnes, des groupes et des organismes de langue française ou de langue anglaise et que la connaissance des deux langues devrait être exigée.

Dossiers nos 1193, 1210, 1218, 1233—Avis de concours

La Commission a informé le Commissaire qu'elle avait demandé d'inscrire sur le tableau le nom de la Commission dans les deux langues officielles.



rue Lisgar, à Sudbury.

Un plaignant rapporte que le nom de la Commission n'est indiqué qu'en anglais au tableau situé dans le hall d'entrée de l'édifice fédéral.

*Dossier n° 909—Identification*

## PLAINTES

## NELLES

## COMMISSION NATIONALE DES LIBÉRATIONS CONDITION-

affiches de concours devraient être publiées dans les deux langues.

Commission de la fonction publique a finalement admis que toutes les Le Commissaire a estimé que le bulletin n'allait pas assez loin. La

exigeant la connaissance d'une seule langue officielle.

districts bilingues, pour annoncer des concours relatifs à des postes circulaires unilingues, hors de la région de la capitale nationale et des Les ministères pouvaient cependant continuer de diffuser des

être rédigée dans les deux langues officielles. »

la connaissance de l'anglais ou, . . . la connaissance du français, devra bilingues, toute affiche ou circulaire pour annoncer un poste qui exige suivante : « . . . dans la région de la capitale nationale et les districts fonction publique a émis le bulletin 72-22 qui comportait la directive A la suite de l'intervention du Commissaire, la Commission de la

en anglais les postes à pourvoir.

tion au sein de l'administration fédérale si on continue d'annoncer surtout de voir décroître l'utilisation du français comme langue de communication au sein de l'administration fédérale si on continue d'annoncer surtout une connaissance de l'anglais et sont annoncés dans cette langue. Il craint fait que plus de 80 p. 100 des postes de la fonction publique exigent description de tâches rédigée en français, surtout si on considère le sient poser leur candidature à ce poste ont le droit d'obtenir une francophones bilingues de la région de la capitale nationale qui de- Ottawa, est rédigée uniquement en anglais. Le plaignant croit que les Une affiche de concours pour un poste au sein du Service, à

*Dossier n° 1008—Affiches de concours*

leur modèle.

mesure de faire des recommandations quant à leur présentation ou à aux exigences de la Loi sur les langues officielles. Il n'était pas en tes bilingues pour le personnel des pénitenciers du Canada satisfaisait Le Commissaire a répondu que la décision d'adopter des épaulet-

teniers a répondu que de tels transferts avaient été autorisés dans le passé et que d'autres demandes dont probablement celle du plaignant étaient à l'étude. Au cours du même entretien, le Commissaire des pénitenciers a promis de transmettre le même jour à toutes les institutions et aux directeurs régionaux du Service canadien des pénitenciers une directive spécifiant que la correspondance destinée au Commissaire aux langues officielles ou provenant de ce dernier ne devait pas être censurée.

Afin de poursuivre l'instruction de la plainte, le Commissaire aux langues officielles a communiqué avec le détenu pour que celui-ci l'autorisât par écrit à référer son cas au Service canadien des pénitenciers. Comme le plaignant n'a pas répondu, l'agent chargé de l'étude lui a téléphoné. S'étant déclaré satisfait des réponses à ses lettres adressées au Solliciteur général et au Commissaire des pénitenciers, le détenu a prié le Commissaire aux langues officielles de cesser l'instruction de sa plainte.

Le Commissaire a par la suite été informé que le détenu avait refusé un transfert pour des raisons personnelles et avait réintégré l'enceinte principale de l'institution.

#### *Dossier n° 1284—Laval*

Un plaignant rapporte que l'affichage à l'institution à sécurité minimale de Laval se fait très souvent en anglais seulement. A titre d'exemple, il envoie une photocopie de deux documents.

Le Commissaire des pénitenciers a affirmé que toute communication émanant des autorités de l'institution était affichée dans les deux langues officielles. L'un des exemples cités par le plaignant avait trait à un télégramme autorisant la correspondance non-censurée entre les détenus et le Commissaire aux langues officielles, télégramme qui par inadvertance avait été envoyé en anglais seulement.

Le Commissaire aux langues officielles a recommandé que toute communication émanant du Service des pénitenciers et destinée au personnel et aux détenus soit publiée dans les deux langues officielles.

#### *Dossier n° 838—Épaulettes*

Un parlementaire écrit au Commissaire au sujet de la décision du ministère de fournir des épaulettes bilingues au personnel des pénitenciers du Canada. Il suggère que les institutions et les ministères fédéraux devraient accorder la priorité à l'une ou à l'autre des langues officielles selon la région où les écriteaux ou insignes bilingues sont utilisés.

personnel dont les fonctions comportaient des services au public, que vérifier si la Commission de la fonction publique ou l'autorité concernée avait dûment tenu compte de la loi. Il ne serait donc en mesure de prendre une décision sur cette question qu'après avoir reçu une réponse du Commissaire des pénitenciers quant aux recommandations formulées précédemment.

Le Commissaire aux langues officielles a rappelé qu'il ne lui appartenait pas de s'occuper des questions relatives à la proportion du personnel francophone puisque la Loi sur les langues officielles visait le bilinguisme institutionnel et non individuel. Il était clair, cependant, que pour répondre aux exigences de la loi, une institution fédérale devait posséder une certaine capacité bilingue.

Le Commissaire aux langues officielles a enfin souligné, sur la foi de renseignements fournis par l'organisme, qu'aucun des employés de Dorchester ne s'opposait au port des insignes bilingues. Il a cependant recommandé qu'à l'avenir le port en soit obligatoire.

#### *Dossier n° 927—Stony Mountain*

Un détenu francophone à l'Annexe agricole de Stony Mountain rapporte qu'il s'exprime difficilement en anglais et demande au Commissaire s'il est obligé de parler cette langue. Il ajoute qu'il aimerait savoir s'il serait possible de brancher l'un des trois téléviseurs de l'annexe sur un canal de langue française.

Le Commissaire des pénitenciers a souligné que son Service attendait toujours l'approbation du Solliciteur général avant de promouvoir la politique du ministère en matière de bilinguisme. Il a déclaré que le Service canadien des pénitenciers avait mis en marche un programme visant à offrir aux détenus des services bilingues dans toute institution pénale où la demande était importante et dans la mesure où il lui était possible de le faire. À cette fin, il a informé le Commissaire aux langues officielles que son Service procédait à l'identification et à la désignation des postes bilingues dans certaines institutions où ceci n'avait pas encore été fait, particulièrement en Ontario et dans les provinces de l'Ouest.

Le Commissaire des pénitenciers a ajouté que les 28 détenus francophones à Stony Mountain (soit 5,5 p. 100) étaient tous bilingues et que seize d'entre eux étaient originaires du Québec. L'institution comptait à peine une dizaine d'employés bilingues, dont aucun à l'annexe, aptes à communiquer en français avec les détenus francophones, mais, en règle générale, les services aux détenus n'étaient donnés qu'en anglais.

Le Commissaire aux langues officielles, lors d'une rencontre avec le Commissaire des pénitenciers, a demandé à celui-ci si l'on pouvait offrir aux détenus francophones un transfert dans une autre institution où des services en français étaient disponibles. Le Commissaire des pénitenciers a répondu que les services en français étaient disponibles.



Dans un premier compte rendu, le Commissaire des pénitenciers fait savoir au Commissaire aux langues officielles qu'il avait déjà transmis aux directeurs de ces deux institutions la circulaire du Conseil du trésor : « Objectifs de direction concernant le bilinguisme ». Il leur avait indiqué que ces objectifs serviraient de base à la politique de bilinguisme du Service canadien des pénitenciers des que la politique ministérielle sur le bilinguisme serait approuvée. Le Commissaire des pénitenciers a précisé que la mise en vigueur de certaines recommandations dépendait des autorités des institutions concernées et de la Direction générale du Service.

L'étude d'un second compte rendu remis quelques mois plus tard a révélé qu'à Dorchester on poursuivait l'application des recommandations proposées. Toutefois, il semblait qu'à Springhill les services français n'étaient offerts que sur demande des détenus et que l'institution ne prenait pas encore l'initiative de servir ceux-ci dans la langue officielle de leur choix.

Le Commissaire aux langues officielles a réitéré l'une des conclusions de son rapport original au Commissaire des pénitenciers, à savoir que le ministère définisse sa politique de bilinguisme sans attendre la création de districts bilingues.

Le Commissaire aux langues officielles a constaté que de réels progrès dans les domaines éducatif et culturel avaient été accomplis au bénéfice des détenus francophones de Dorchester. Cependant, il a remarqué que dans plusieurs ateliers de l'institution on manquait d'instructeurs ou de moniteurs aptes à s'exprimer en français.

Il a également informé le Commissaire des pénitenciers que l'accroissement de services éducatifs bilingues à Springhill comblerait une lacune et qu'on devrait immédiatement recruter des instructeurs ou des moniteurs bilingues.

En conclusion, le Commissaire aux langues officielles a rappelé que le Service se devait d'assurer aux détenus francophones des services conformes à la Loi sur les langues officielles.

*Dossier n° 965—Dorchester*

*Dossiers nos 646, 691—Dorchester et Springhill*

Le rapport annuel 1971-1972 (page 279) mentionnait les recommandations relatives à l'instauration de services bilingues dans les institutions de Dorchester et de Springhill.

personnels.

institution de l'Ouest, mais ceux-ci les avaient refusés pour des motifs tels transferts avaient déjà été offerts à des détenus francophones d'une étude chaque cas afin de prendre les mesures appropriées. Toutefois, de milieu anglophone. Le Commissaire des pénitenciers était disposé à possibilité d'offrir un transfert aux détenus francophones vivant en Le Commissaire aux langues officielles a également examiné la services de psychologues et de psychiatres s'exprimant en français.

son interlocuteur la nécessité d'assurer aux détenus francophones des leur dans les institutions en milieu anglophone. Il a alors souligné à le Commissaire aux langues officielles a discuté du bilinguisme en vi- Au cours d'un long entretien avec le Commissaire des pénitenciers, le personnel bilingue qui y était affecté répondait aux besoins.

tutions pénitentiaires de la Colombie-Britannique était minime et que Il a ajouté que le pourcentage des détenus francophones dans les insti- nel bilingue en mesure de répondre aux détenus dans leur propre langue. gaise, il y avait dans la majorité des institutions pénitentiaires du person- seule la région du Québec était reconnue comme unité de langue fran- Le Commissaire des pénitenciers a répondu que même si en fait du Service canadien des pénitenciers.

sur les droits linguistiques des détenus francophones dans les institutions Des personnes de la Colombie-Britannique veulent se renseigner Dossier no 1205—Droits linguistiques des détenus

## PLAINTES

### SERVICE CANADIEN DES PÉNITENCIERS

la préférence aux candidats bilingues.

qu'elle avait l'intention, dans cette campagne de recrutement, de donner dans les journaux de langue française et que la G.R.C. l'avait informé participer au concours. Il a ajouté que l'annonce avait également paru qualifications requises, qu'ils soient bilingues ou unilingues, pouvaient les deux langues officielles. Il a précisé que les intéressés possédant les pose la loi d'assurer dans les aéroports la fourniture de services dans conclure que la G.R.C. ne tenait pas compte de l'obligation que lui im- l'absence d'exigences linguistiques dans l'annonce ne permettait pas de Le Commissaire aux langues officielles a souligné au plaignant que

serait terminée, elle verrait à prendre les mesures nécessaires afin de corriger les lacunes existantes. Les écussons et les plaques sur les immeubles et les véhicules de la G.R.C. à l'échelon national ont fait l'objet d'une déclaration ministérielle à la Chambre des communes les 12 et 13 mars 1973, en vertu de laquelle des écussons et des plaques serait adoptés en conformité avec la Loi sur les langues officielles.

### 3. Concours

*Dossiers nos 1169, 1198, 1580—Avis de concours*

• Un groupe de francophones de Montréal se plaint de recevoir, rédigé en anglais, un avis de concours relatif à six postes de bibliothécaires à pourvoir dans trois institutions fédérales dont l'un était un poste de bibliothécaire principal aux quartiers généraux de la G.R.C. à Ottawa. (Les autres postes sont mentionnés dans des sommaires ayant trait aux ministères de l'Agriculture et des Communications.) Un Franco-manitobain qui reçoit une version bilingue du même avis de concours signale que ce dernier semble indiquer que les candidats francophones sont censés être bilingues alors que seule la connaissance de l'anglais est exigée des anglophones.

Le Commissaire a découvert que la Commission de la fonction publique avait tout d'abord publié l'avis en anglais mais, à la suite de plaintes reçues, l'avait retiré et y avait substitué un avis bilingue qu'elle avait également dû retirer car la version française de la section où figuraient les exigences linguistiques ne correspondait pas au texte anglais. La Commission a finalement publié un avis de concours bilingue pour chacune des trois institutions où il y avait un poste de bibliothécaire à pourvoir.

La G.R.C. a soutenu que la connaissance de l'anglais était requise pour le poste de bibliothécaire principal à ses quartiers généraux car cette bibliothèque n'offrirait pas de services au public. Elle a toutefois admis qu'une plus grande capacité bilingue serait utile et s'est engagée à la fournir lorsqu'elle pourrait obtenir les crédits nécessaires. Le Commissaire aux langues officielles a recommandé que la capacité bilingue soit accrue, dès que possible, afin de répondre aux besoins des membres francophones de la Gendarmerie. Peu de temps après, cette dernière a informé le Commissaire de la création de deux postes bilingues à la bibliothèque.

• Un plaignant signale qu'une annonce de la G.R.C. publiée dans un quotidien de Toronto pour recruter des agents aux aéroports ne mentionne aucune exigence linguistique.



lation, incluant celle du district, soit francophone dans la proportion de 35 p. 100. Le plaignant croit que c'est une injustice flagrante que de laisser se perpétuer une telle situation.

La G.R.C. a souligné qu'elle était consciente de la nécessité d'offrir un service bilingue à Saint-Paul. Un agent bilingue avait été muté à cet endroit à la fin de janvier 1973.

Le Commissaire aux langues officielles a recommandé à la G.R.C. de prendre les mesures nécessaires afin d'augmenter sa capacité bilingue à Saint-Paul le plus tôt possible.

La G.R.C. a accepté cette recommandation et a décidé d'affecter un autre agent bilingue à Saint-Paul.

## 2. Aspects visuels

*Dossiers nos 1042, 1208—Au Nouveau-Brunswick*

- Un francophone signale que l'édifice de la G.R.C. à Fredericton n'est identifié que par une plaque en anglais.
- Le Commissaire aux langues officielles a informé le plaignant que la G.R.C. avait corrigé la situation et que des écriteaux en français et en anglais avaient été installés.
- Un francophone en voyage au Nouveau-Brunswick remarque qu'un poste de police est identifié par le sigle anglais R.C.M.P.
- La G.R.C. a informé le Commissaire que le panneau avait été érigé par le ministère des Travaux publics du Nouveau-Brunswick vers 1968 d'après des devis fournis par elle. La G.R.C. a fait remplacer le panneau unilingue par un autre bilingue.

*Dossiers nos 1312, 1336, 1518, 1534—Divers*

L'absence de signalisation bilingue sur les immeubles et les véhicules de la G.R.C. fait l'objet des griefs suivants de la part d'une association culturelle francophone :

- 1) inscriptions unilingues anglaises sur des véhicules à Ottawa et à Moncton;
- 2) emploi du seul sigle R.C.M.P. sur la porte d'un bureau à North Bay;
- 3) panneau unilingue anglais sur un immeuble à Ottawa.

La G.R.C. a souligné que la question de la signalisation bilingue recevait l'attention particulière du Solliciteur général et des procureurs généraux des provinces. Elle a ajouté que lorsque cette consultation

G.R.C. affectés à Saint-Paul ne s'exprime en français, bien que la population

*Dossier n° 1721—En Alberta*

Une association culturelle signale qu'aucun des 17 membres de la G.R.C. d'assurer le plus tôt possible des services bilingues en tout temps à l'aéroport de Toronto.

L'instruction de la plainte a permis au Commissaire aux langues officielles de recommander à la G.R.C. d'assurer le plus tôt possible des services bilingues en tout temps à l'aéroport de Toronto. L'instruction a révélé qu'un agent bilingue était de service entre 7 h et 23 h mais que la G.R.C. n'était pas en mesure d'offrir des services bilingues sur une période de 24 heures à cet endroit. Elle ne pouvait le faire qu'en période d'affluence des voyageurs, étant donné l'insuffisance de ses effectifs bilingues. La G.R.C. se proposait toutefois d'avoir en tout temps des agents bilingues en service aux aéroports internationaux, et elle comptait réaliser cet objectif dans un avenir prochain. Enfin, la G.R.C. a informé le Commissaire que sa division de Toronto avait eu des difficultés à obtenir des insignes bilingues, mais que le problème était en voie d'être résolu.

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*Dossier n° 1112—A Toronto*

Un francophone affirme que, lors de son passage à l'aéroport international de Toronto en juin 1972, il n'a pu obtenir de services en français des membres de la G.R.C. Il signale aussi qu'un seul des cinq agents arborait un insigne bilingue.

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*Dossier n° 1206—Au Parlement*

Un francophone se plaint du fait que lors d'une visite au Parlement les deux membres de la G.R.C. en service à l'entrée principale étaient anglophones unilingues.

L'instruction a révélé que six des 26 agents de service à la date de la visite étaient des anglophones unilingues. Étant donné la pénurie de personnel bilingue, la G.R.C. avait prévu la formation d'équipes composées d'un agent unilingue et d'un agent bilingue. Comme cette combinaison n'avait pas été observée le jour de la visite du plaignant, le Commissaire de la G.R.C. a rappelé aux intéressés l'obligation de s'y conformer. D'autre part, le Commissaire aux langues officielles a recommandé à l'institution de s'assurer que la mise en œuvre de cette combinaison serait l'objet de vérifications périodiques par le Commandant de la division.

Il a recommandé que les commentateurs durant les concerts soient faits dans les deux langues officielles, en conformité avec la loi, à moins qu'il n'y ait lieu de justifier l'usage d'une seule langue.

raient patents. C'est pourquoi cinq agents anglophones travaillaient dans le secteur concerné. Enfin, exception faite de ces derniers, la G.R.C. a calculé que la présence de onze agents parfaitement bilingues sur douze que comprenaient normalement ces détachements, se comparait avanta-

gement à la représentation francophone de la région.

Le Commissaire a conclu que la G.R.C. était en mesure de servir la population du nord-est du Nouveau-Brunswick en conformité avec la Loi sur les langues officielles. Il a souligné au plaignant qu'il avait déjà recommandé à la G.R.C. de s'assurer que la mise en œuvre de sa politique d'affectation admit des exceptions lorsque la fourniture de services en français l'exigeait. D'ailleurs, la G.R.C. s'était engagée dans ce sens.

La société est revenue à la charge en signalant d'autres endroits comme Bucouche, Saint-Quentin et le comté de Madawaska où la capacité bilingue de la G.R.C. lui semblait inadéquate et en posant la question suivante au Commissaire : « Comment en effet peut-on recon-naître le bien-fondé d'un programme de formation dans lequel ce sont les citoyens qui doivent se mettre au service des organismes créés pour les servir ? ». Quant aux moyens à prendre, le correspondant précisait sa pensée en demandant : « Ne vaudrait-il pas mieux pour la Gendar-merie royale canadienne de créer une école au Québec et d'y former des gens capables de desservir les régions francophones du Canada plutôt que d'exposer les citoyens de ces régions à des services aussi lamentables ? ».

Ces questions ont été portées à l'attention de la G.R.C. et celle-ci, dans sa réponse, n'a fait que réitérer les arguments qu'elle avait déjà soumis au Commissaire aux langues officielles, en ajoutant des pré-cisions sur le personnel composant les quatre détachements affectés aux nouvelles régions mentionnées par le plaignant. En conséquence, le Commissaire a décidé d'effectuer une étude spéciale sur l'application de la Loi sur les langues officielles au sein de la Division « J » au Nouveau-Brunswick. Celle-ci tiendra compte également de certaines questions affectant la capacité bilingue de la G.R.C. dans son ensemble.

#### *Dossier n° 1024—Au Québec*

Dans une lettre contresignée par 45 personnes, un francophone reproche à la fanfare de la G.R.C., lors d'un concert au collège de Lévis en mai 1972, de n'avoir pas présenté les pièces musicales dans un français convenable.

Le Commissaire a conclu que, sans vouloir critiquer l'effort louable du présentateur anglophone, la G.R.C. aurait dû assurer une présenta-tion dans un français plus soigné.



En ce qui concerne Shédiac, la G.R.C. a souligné que le détachement était composé de deux caporaux et de six agents. Trois de ces derniers possédaient une bonne connaissance du français sans toutefois être bilingues. Le Commandant suivait des cours de français du deuxième cycle, et quatre autres agents du détachement étaient anglophones unilingues. Étant donné l'insuffisance de ses effectifs bilingues à Shédiac, la G.R.C. y avait affecté temporairement des anglophones unilingues, mais elle comptait y améliorer sa capacité bilingue aussitôt que possible. Enfin, la G.R.C. a affirmé être consciente du besoin de fournir des services au public dans les deux langues partout au Nouveau-Brunswick, particulièrement dans les endroits à forte concentration francophone.

Le Commissaire aux langues officielles a recommandé à la G.R.C. de prendre toutes les mesures utiles afin de corriger le plus rapidement possible les lacunes signalées.

• Une société culturelle francophone informe le Commissaire que la G.R.C. affecte des agents unilingues anglais dans le nord-est du Nouveau-Brunswick, notamment à Caraquet.

La G.R.C. a fait savoir qu'elle comptait trois détachements dans cette région, soit ceux de Caraquet, de Shippagan et de Tracadie. Aux douze agents réguliers de ces détachements, la G.R.C. en a ajouté temporairement cinq qui devaient parfaire sur place leur formation en français. Elle a affirmé que cinq des sept agents en poste à Caraquet étaient bilingues et que les deux autres suivaient des cours de français. D'autre part, elle a souligné que l'un des quatre agents du détachement de Shippagan était bilingue, qu'un deuxième comprenait partiellement le français et que les deux autres parachevaient leur formation en français. Enfin, elle a soutenu que cinq des agents affectés à Tracadie étaient bilingues et que le sixième suivait des cours de français. La G.R.C. a rappelé qu'elle accordait la priorité, dans l'affectation de ses effectifs bilingues, à la région de la capitale nationale et aux provinces de Québec, de l'Ontario et du Nouveau-Brunswick.

Le Commissaire aux langues officielles a informé le plaignant qu'afin de servir le public dans la langue officielle de son choix, la G.R.C. avait établi un programme prévoyant un entraînement bilingue pour les recrues qui avaient déjà suivi un cours de langue avant de s'inscrire à la base de Regina. Ces agents étaient ensuite affectés pour une période d'environ un an à des détachements où ils poursuivaient leur formation linguistique tout en exerçant leurs fonctions. Les agents anglophones étaient envoyés dans un milieu francophone et vice versa. La G.R.C. a également souligné que lorsqu'ils étaient en service dans un milieu où ils se servaient particulièrement de leur langue seconde, leurs progrès dans la connaissance de l'anglais ou du français s'avé-

que les provinces ou municipalités qui recourent à la G.R.C. pour assurer leurs services policiers devraient exiger que celle-ci respecte le bilinguisme officiel. De plus, il souligne que les sommations, les mandats d'arrêt, etc., devraient être rédigés dans les deux langues officielles.

La G.R.C. a fait savoir au Commissaire qu'elle affectait prioritairement ses effectifs bilingues à des secteurs clés, tels la région de la capitale nationale, les provinces de Québec, de l'Ontario et du Nouveau-Brunswick. Elle a ajouté qu'en milieu bilingue ses membres devaient maîtriser les deux langues officielles. Puisque les cours de langues de la Commission de la fonction publique ne répondaient pas entièrement aux besoins de ses membres, la G.R.C. a établi un programme de formation linguistique destiné aux recrues qui avaient déjà suivi un cours de langue, avant de commencer leur entraînement à Régina. Ces recrues étaient ensuite affectées à des détachements où elles pouvaient poursuivre leur formation linguistique; les membres anglophones étaient nommés dans un milieu francophone et vice versa. L'expérience a démontré que ces agents progressaient alors plus rapidement que s'ils travaillaient dans un milieu où ils conversaient surtout dans leur langue maternelle. Ceci expliquait donc l'affectation d'un francophone au détachement d'Arborg. Néanmoins, la G.R.C. a muté un agent bilingue de son programme spécial au détachement de Régina.

Le Commissaire aux langues officielles a reconnu le mérite de la politique d'affectation des gradués du cours bilingue spécial de la G.R.C. Toutefois, face à la pénurie de personnel en mesure d'offrir des services en français, il a recommandé à la G.R.C. de s'assurer, en conformité avec l'article 25 de la loi, que cette politique ne retarde pas l'offre de services dans l'une ou l'autre des langues officielles et d'admettre au besoin des exceptions à cette règle. La G.R.C. s'est engagée dans ce sens.

#### *Dossiers nos 1224, 1632—Au Nouveau-Brunswick*

• Une société culturelle francophone signale que des voitures de la G.R.C. dans la région de Moncton n'arborent que l'écusson unilingue R.C.M.P. Elle se plaint également que plusieurs agents de la G.R.C. à Shédiac, région à majorité de langue française, sont unilingues anglais. La G.R.C. a reconnu que plusieurs de ses voitures n'arboraient que l'écusson anglais, non seulement dans la région de Moncton mais ailleurs également. Elle a fait savoir qu'un écusson conforme à la Loi sur les langues officielles avait été conçu mais que l'on avait dû cesser de l'utiliser à cause des controverses qu'il suscitait. Elle avait donc repris temporairement l'écusson original jusqu'à l'adoption d'un nouvel insigne bilingue.

L'auteur d'un mémoire présenté au Comité spécial mixte du Sénat et de la Chambre des communes sur la Constitution du Canada (voir le rapport annuel 1971-1972, pages 275-276) persiste à croire que la Gendarmerie royale du Canada n'affecte pas suffisamment d'agents de langue française dans les endroits en Saskatchewan où habitent un certain pourcentage de francophones. Il cite le cas d'un agent francophone, diplômé de Regina, affecté à Arborg (Manitoba), région complètement anglophone, alors qu'à Regina, où vivent deux à trois mille francophones, il n'y aurait aucun agent francophone. Il est d'avis

*Dossier n° 89—Sui*

# *1. Service au public*

## *PLAINTES*

recours à différents programmes de cours de langues et de maintien de l'acquis; en outre, elle assigne les diplômés du programme de formation suivi par les recrues des troupes bilingues à des postes où elles peuvent améliorer, grâce à des contacts réguliers avec la population, leurs connaissances nouvellement acquises.

En octobre 1973, le Commissaire a noté que l'organisme n'avait mis en œuvre aucun plan ni aucun programme unifié ayant pour but de permettre à sa Direction générale et à ses bureaux divisionnaires de se conformer entièrement à la lettre et à l'esprit de la Loi sur les langues officielles. De 1967 à 1973, un officier responsable des questions de bilinguisme relevait directement du sous-commissaire administratif mais cette modalité n'a pas permis d'obtenir les résultats escomptés. En automne 1973, lors d'une réorganisation des échelons supérieurs de son administration, la Gendarmerie a confié à un surintendant principal, rattaché à la Direction de l'organisation et du personnel, la responsabilité de planifier, de coordonner et de surveiller la dotation des postes, conformément aux directives du Conseil du trésor de juin 1973. La G.R.C. pensait pouvoir instituer, avant la fin de 1973, un plan centralisé destiné à être mis en œuvre dans tous ses services, afin de pouvoir servir le public dans les deux langues officielles. Ces mesures ne satisfont toutefois pas aux trois premières recommandations formulées à l'issue de l'étude de la Direction générale et de la Division « N ». Cependant, il est à noter que le Commissaire s'intéresse davantage aux résultats qu'aux mesures administratives utilisées pour les obtenir. Il suivra donc de très près l'efficacité des nouvelles dispositions.



Sept avaient trait à la signalisation ou à d'autres marques d'identité unilingues et treize autres concernaient des services qui, déclarait-on, n'étaient pas accessibles en français. Sur réception de ces plaintes, la Gendarmerie a entrepris, de sa propre initiative, de redresser quatorze des situations en cause. De son côté, le Commissaire a formulé dix recommandations, auxquelles sont venues s'ajouter 19 autres faites à la suite de l'étude spéciale achevée en mai 1971.

En octobre 1973, la Gendarmerie royale a indiqué qu'elle avait donné suite à la plupart des recommandations issues de l'étude et que son objectif était de les appliquer intégralement dans les délais les plus brefs. La G.R.C. semble s'être conformée à huit des neuf recommandations concernant la Division « A », la majorité d'entre elles ayant trait aux services des gardes et des commissaires chargés de la sécurité des principaux immeubles gouvernementaux d'Ottawa. Le Service de dotation en personnel cherche à donner suite à la recommandation, encore inappliquée, voulant que la G.R.C. affecte des bilingues qualifiés à ses vedettes en service à Kingston, Long Sault et Sault Ste-Marie. La G.R.C. a déclaré, relativement à la Direction générale et à la Division « N », que les services fournis par l'intermédiaire des préposés à la réception, du téléphone, des gardes et des services de renseignements généraux sont maintenant assurés dans les deux langues officielles.

Le 13 mars 1973, le Solliciteur général révéla que la G.R.C. avait approuvé des panneaux (pour ses immeubles) et des décalcomanies (pour ses voitures) conformes à la Loi sur les langues officielles. Cette décision mit un terme à une controverse qui avait entrevu la transformation de la signalisation entreprise par la G.R.C. et causée de nombreuses plaintes, lesquelles auraient probablement pu être évitées. D'un autre côté, une récente vérification de la signalisation et des annonces publiques dans plusieurs aéroports du pays, faite en collaboration avec Air Canada et le ministère des Transports, a révélé que la signalisation extérieure de la G.R.C., dans la plupart des aéroports, et la signalisation intérieure, dans les aéroports de Victoria, de Vancouver et d'Edmonton, était toujours unilingue anglaise. D'après les indications fournies — indications qui semblent se confirmer —, les insignes en étoffe des épaulettes des uniformes ainsi que les décalcomanies des véhicules seraient bilingues dans tout le pays.

La G.R.C. est incapable, pour l'instant, de satisfaire à la demande de services en français partout où on sait que cette demande existe. La région de la capitale nationale ainsi que le Québec, l'Ontario et le Nouveau-Brunswick jouissent de la priorité en ce qui concerne la dotation en personnel bilingue qualifié. La Gendarmerie devant recruter et former elle-même son personnel, le rythme auquel les agents qualifiés deviennent disponibles est évidemment fonction du temps. Elle a

Au cours de l'année financière 1972-1973, la Gendarmerie royale a fait des efforts notables en vue d'accroître ses effectifs bilingues. Toutefois, bien qu'elle ait appliqué la plupart des recommandations qui ont été formulées à la suite d'une étude spéciale faite en 1971, et en dépit de sa promptitude à collaborer à la solution des problèmes qui ont occasionné des plaintes, la G.R.C. a encore du travail à accomplir avant de satisfaire pleinement à l'esprit et à la lettre de la Loi sur les langues officielles ainsi qu'à l'intention du législateur.

Jusqu'au 31 mars 1973, le Commissaire aux langues officielles avait reçu 29 plaintes contre la Gendarmerie dont 22 étaient fondées.

## APPRECIATION

### GENDARMERIE ROYALE DU CANADA — « Les males »

plaintes ont été réglées rapidement.

Un avis de concours se trouvait à l'origine de quatre d'entre elles. Les six mettant en cause la Commission nationale des libérations conditionnelles. Durant cette même période, le Commissaire a instruit six plaintes dans des établissements au Québec.

certain prisonniers refusent pour des raisons personnelles d'être envoyés sonnel bilingue pour la formation scolaire ou professionnelle. De plus, toujours quand il s'agit de services en français, celui du manque de personnel qu'au Québec. Dans les autres provinces, un problème se pose Le Service canadien des pénitenciers n'a des établissements bilingues et a rapidement pris les mesures correctives nécessaires.

saire des pénitenciers a pleinement collaboré à l'examen de ces plaintes enquête au pénitencier de Springhill (Nouvelle-Ecosse). Le Commissaire de plus poussée faite par un agent des plaintes qui effectuait aussi une étude au pénitencier de Dorchester (Nouveau-Brunswick), suivie d'une enquête préliminaire sur place par le Commissaire et un de ses collaborateurs canadien des pénitenciers. Deux d'entre elles ont donné lieu à une enquête préliminaire sur place par le Commissaire et un de ses collaborateurs Des 22 plaintes reçues, seize étaient dirigées contre le Service n'était encore prévue.

Les enquêtes menées suite aux plaintes ont amené certaines réformes linguistiques. Néanmoins, le Commissaire croit qu'il est urgent, si "on veut obtenir le respect intégral de la loi, que les dirigeants de ces organismes donnent des directives appropriées et en surveillent l'application. A la fin de novembre 1973, aucune directive en ce sens, dans laquelle seraient énumérées les exigences de la loi et explicitées les procédures que doivent suivre les éléments administratifs des organismes, n'était encore prévue.

canadien des pénitenciers et la Commission nationale des libérations conditionnelles. Dans tous les cas, les plaintes ont pu être réglées rapidement et avec l'entière collaboration de ces organismes.

Dossier n° 1632—Formule de demande

Un plaignant fait parvenir au Commissaire la version anglaise de la formule 3201 H 11, lui demandant s'il est possible d'en obtenir une rédigée en français.

La société a expliqué au Commissaire que la formule en cause n'était qu'un abrégé de la formule de demande 3901, imprimée dans les deux langues officielles, et que la formule abrégée ne pouvait s'obtenir qu'en anglais. Ces deux types de formules étaient d'ailleurs censés être rempalaçés au début de 1973 par une nouvelle formule bilingue.

En juin, la société a envoyé au Commissaire un exemplaire de la nouvelle formule en l'assurant que la version unilingue anglaise n'était plus en usage.

Dossier n° 1722—A Saint-Paul

Un francophone signale que la société ne sert pas le public en français à Saint-Paul (Alberta). Étant donné que l'ancien chef du bureau local doit être vraisemblablement remplacé par deux personnes, il semblerait logique, d'après le plaignant, que l'une d'elles soit bilingue, car 35 p. 100 de la population à servir sont d'expression française.

La société a informé le Commissaire qu'un conseiller en crédit bilingue était temporairement de service à Saint-Paul. Elle lui a fait savoir également qu'elle prenait les mesures nécessaires pour muter à titre permanent, au plus tard en juillet 1973, un conseiller en crédit bilingue actuellement en poste au Québec. Ce conseiller a été nommé le 22 mai 1973.

SOLLICITEUR GÉNÉRAL — « La grande évasion »

## APPRECIATION

Le Service canadien des pénitenciers, la Commission nationale des libérations conditionnelles et la Gendarmerie royale du Canada, bien que regroupés sous le Solliciteur général, sont des organismes autonomes dont les dirigeants ont, en dernière analyse, la responsabilité d'élaborer et d'appliquer les mesures propres à mettre en œuvre la Loi sur les langues officielles. Entre le 1<sup>er</sup> avril 1970 et le 31 mars 1973, le bureau du Commissaire a enquêté sur 22 plaintes déposées contre le Service



En mars 1972, la Société informait le Commissaire qu'elle entreprenait l'application des huit recommandations qu'il lui avait présentées. Un an plus tard, elle distribuait à tous ses chefs de direction un manuel de bilinguisme dans lequel elle établissait ses principes directeurs concernant le bilinguisme, annonçait la nomination d'un conseiller en bilinguisme et précisait ses directives quant à l'utilisation des deux langues dans les divers services offerts au public et dans les communications et services internes. La Société y énonçait également les conditions d'admission aux différents cours de langues qu'elle offre à ses employés.

La Société a déclaré avoir pris, jusqu'au 30 septembre 1973, les mesures suivantes à la suite des recommandations formulées par le Commissaire :

1) des services bilingues sont maintenant disponibles dans 21 des 26 centres nommément mentionnés dans les recommandations de 1971; la Société a déclaré qu'elle se heurtait à une grande pénurie de diplômés bilingues en agriculture et qu'il s'écoulera encore quelque temps avant que certains de ses bureaux puissent disposer d'un personnel pleinement bilingue;

2) à l'automne 1972, la Société s'est entendue avec le Bureau des langues de la Commission de la fonction publique pour qu'un moniteur vienne à son siège social, deux après-midi par semaine, afin d'aider les employés qui suivent des cours de langues;

3) la Société a mis en vigueur les recommandations 3, 5, 6 et 8 relatives, respectivement, à la formation linguistique des conjoints des employés inscrits aux cours de langues, aux écriticains de ses bureaux, aux cartes de visite des employés et aux directives concernant les annonces passées dans les journaux;

4) les bureaux de la S.C.A. sont maintenant désignés dans les deux langues dans la plupart des annuaires téléphoniques locaux; les inscriptions encore unilingues seront bilingues dans les prochaines éditions des annuaires;

5) bien que les écoles de langues de la Commission de la fonction publique servent à donner des cours à certains employés sélectionnés et que d'autres centres pour l'enseignement des langues soient utilisés en Alberta et au Québec, les employés de la Société n'ont pas, comme l'a recommandé le Commissaire, bénéficié de cours par correspondance; le fait que la Société offre à ses employés divers autres programmes de formation linguistique semble toutefois compenser de façon satisfaisante ce désavantage.

Le Commissaire n'a reçu que deux plaintes contre la S.C.A. Cette dernière les a réglées sans tarder, à la satisfaction de tous les intéressés.

Comme indiqué dans le deuxième rapport annuel, la Société a fait l'objet, à sa demande, d'une étude spéciale en 1971-1972. La S.C.A. collabore étroitement depuis 1971 avec le bureau du Commissaire à l'analyse et à la solution des problèmes issus de l'application de la Loi sur les langues officielles. D'une part, elle s'efforce constamment, là où une demande importante de services dans les deux langues existe, de recruter des bilingues pour les postes dont les titulaires ont des contacts avec le public et, d'autre part, elle encourage son personnel à s'inscrire à divers cours de langues. Cela permet d'espérer que tous les bureaux de la S.C.A. au service des deux groupes linguistiques pourront bientôt fournir leurs services dans les deux langues officielles.

*Les efforts soutenus de la société ont fait porter à son crédit d'importants progrès vers l'application des recommandations du Commissaire.*

## APPRECIATION

### SOCIÉTÉ DU CRÉDIT AGRICOLE — « L'initiation »

La société a déclaré que les documents avaient été imprimés en français et en anglais et que ces dossiers avaient été distribués, après la soumission au Parlement du projet de Loi C-133, à quelque 4 000 francophones et anglophones. Il semblerait qu'un dossier anglais ait été par erreur posté à un Transcophone. La société a fait parvenir au Commissaire un dossier d'information rédigé en français et lui a demandé de bien vouloir l'envoyer au plaignant en lui transmettant ses regrets.

Un plaignant reçoit un dossier d'information de la société et informe le Commissaire que trois des quatre documents qu'il contient sont rédigés uniquement en anglais.

### Dossier n° 1735—Dossier d'information

La société a modifié son avis de concours de façon à indiquer clairement les exigences linguistiques du poste et l'a publié dans tous les journaux où le premier avis avait été inséré. Elle a en outre rappelé à ses directeurs régionaux l'obligation de tenir compte des dispositions de la Loi sur les langues officielles lorsqu'ils faisaient paraître des avis de concours.

Le Commissaire a également recommandé que l'avis de concours soit bilingue ou rédigé dans la langue du journal dans lequel il paraissait.

Etant donné que les deux langues étaient requises mais avec une insistance particulière sur le français, le Commissaire a recommandé qu'un avis modifié, indiquant clairement la nécessité de connaître les deux langues et le degré de connaissance de chacune, soit publié dans tous les journaux où le premier avait paru.

Après instruction, le Commissaire a établi que l'organisme responsable était la société. Cette dernière a souligné qu'elle désirait alors engager un architecte / urbaniste bilingue ou qui avait au moins une bonne connaissance du français, pour occuper un poste ouvert à son bureau de Montréal où la langue de travail était le français. La société a toutefois soutenu qu'en dépit de l'annonce, elle considérerait la candidature de toute personne suffisamment bilingue qui répondrait aux exigences du poste.

Un anglophone prétend qu'un avis de concours paru dans la *Gazette de Montréal* le 22 janvier 1973, relatif à un poste d'architecte / urbaniste, est discriminatoire en ce sens qu'il mentionne que la préférence sera accordée aux candidats « d'expression française »; l'avis indique également que le poste à pourvoir relève d'un organisme du gouvernement fédéral, sans préciser lequel.

#### *Dossier n° 1643—Publication d'un avis de concours*

Toutefois, bien que la formule de l'entente ait été publiée par la banque, le Commissaire a été d'avis que la société jouait un rôle important en agréant l'acheteur et en garantissant le prêt. Bien que de l'avis du Commissaire cette plainte n'impliquait pas une contravention à la Loi sur les langues officielles, il a néanmoins recommandé à la société d'inciter les prêteurs à offrir à l'emprunteur les textes explicatifs et les formules à remplir dans la langue de son choix.

L'entreprise privée et la législation ontarienne étaient responsables du fait que les documents n'existaient pas en français. Le plaignant avait accepté l'hypothèque en signant une formule qui provenait de la banque et non de la société. Au point de vue juridique, celle-ci n'était pas partie à l'entente car elle ne faisait que garantir le prêt.

Cette plainte comportait plusieurs implications d'ordre à la fois juridique et administratif. Vis-à-vis de la société, c'était l'entrepreneur qui constituait le débiteur hypothécaire et non l'acheteur (soit le plaignant). L'entrepreneur a hypothéqué sa propriété et a confié à une banque l'administration du prêt. Selon la Loi ontarienne de l'enregistrement (Ontario Registry Act), toute hypothèque doit être enregistrée en anglais mais on peut y ajouter une version française et l'enregistrer également.

sont rédigés en anglais sur un formulaire unilingue anglaise. Il exige que ces termes soient en français sur une formule française ou bilingue.



Pour obtenir une hypothèque de la société, un francophone remplit en français un questionnaire bilingue mais constate, en se présentant à une succursale de banque à Ottawa, que les termes de l'hypothèque

#### *Dossier n° 1272—Formules*

• Un plaignant signale que l'enseigne apposée à l'extérieur du bureau de la société à Edmonton est rédigée uniquement en anglais. La société a remplacé l'enseigne unilingue anglaise par une autre bilingue et a demandé à ses directeurs régionaux de s'assurer que toutes les enseignes à la vue du public soient entièrement conformes aux dispositions de la Loi sur les langues officielles.

La société a écrit au Commissaire l'informant qu'à l'avenir tout le matériel qu'elle utiliserait dans la construction serait marqué dans les deux langues officielles. Elle a joint à sa lettre une nouvelle étiquette bilingue.

CMHC.

• Un plaignant proteste contre le fait que le polytène utilisé dans la construction par la société porte une étiquette unilingue anglaise.

La société a informé le Commissaire qu'elle n'était pas propriétaire du chantier. Bien qu'en 1970 elle ait suggéré aux bénéficiaires d'indiquer par voie d'affichage bilingue qu'ils avaient reçu un prêt, elle n'exigeait pas d'eux qu'ils affichent leurs sources de financement. Il se peut que dans le cas de Morningside Court, l'emprunteur, désireux d'indiquer qu'il y avait eu participation fédérale, ait installé, sans consulter la société, la partie anglaise d'une affiche datant de 1970. A la suite de cette plainte, la société a demandé à l'emprunteur d'enlever cette affiche, ce qu'il a accepté de faire aussitôt.

• Un francophone de passage à Toronto rapporte que l'affiche située à l'extérieur du chantier de construction Morningside Court, financée par la société, est unilingue anglaise.

#### *Dossiers n°s 1207, 1567, 1781—Aspects visuels*

### PLAINTES

Le Commissaire a instruit, entre le 1<sup>er</sup> avril 1970 et le 31 mars 1973, six plaintes mettant en cause la Société. Ces plaintes avaient trait aux formulaires, aux écritureaux, à des annonces publiées dans les journaux et à une pochette d'information. La Société a vite remédié aux situations qui avaient donné lieu aux plaintes, mineures en soi, et a rapidement appliqué les deux recommandations du Commissaire relatives aux annonces publiées dans les journaux.

indiquer l'heure. Il a cité onze façons d'indiquer par exemple neuf heures et demie du matin d'après le système de 24 heures : 0930 hrs., 930 h, 09h30, 9 h 30, 0930, 9:30 AM, 9:30 A.M., 9.30 A.M., 9:30 a.m. et 930 a. Pour appuyer ses dires, il a en outre fourni des oratoires de compagnies aériennes, d'émissions de télévision et de programmes de cinéma. Comme les experts en la matière n'avaient pas encore arrêté leur choix sur un système uniforme, le ministère estimait qu'on ne pouvait qualifier l'une de ces méthodes de « française », d'« anglaise », d'« américaine » ou de « canadienne ».

## SOCIÉTÉ CENTRALE D'HYPOTHÈQUES ET DE LOGEMENT

— « La garçonnière »

## APPRECIATION

*Le Commissaire, tout en réservant son jugement sur les services de la S.C.H.T. à travers le pays, loue cette dernière pour les efforts soutenus qu'elle a déployés en vue d'appliquer la Loi sur les langues officielles dans la région de la capitale nationale.*

Avant l'étude spéciale effectuée par le bureau du Commissaire en 1971, la Société avait déjà posé des jalons pour augmenter son effectif bilingue en établissant une école de langues dans ses propres locaux. Cette première initiative et la rapidité avec laquelle elle a donné suite aux recommandations formulées par le Commissaire au terme de l'étude de référence ont fait que la Société a fait pour offrir au public des services bilingues et instaurer dans la région de la capitale nationale le bilinguisme institutionnel. Deux recommandations, concernant les cours de langue et le maintien de l'acquis, étaient appliquées dès la fin de l'année financière 1971-1972.

En février 1973, la Société a présenté un compte rendu sur les suites données aux cinq recommandations dans lequel elle déclarait que le nombre de ses employés inscrits aux programmes de formation linguistique était passé de 78 à 131 entre 1971-1972 et 1972-1973. D'autre part, elle a engagé, en nombre limité, du personnel suppléant pour faciliter le mouvement de personnel et le remplacement des employés qui s'absentent pour suivre des cours de langue. La Société a établi un régime de mutation par rotation conçu pour assurer le maintien des connaissances acquises et a créé une section d'évaluation du bilinguisme chargée de recueillir les informations sur les employés bilingues et de déterminer, chaque année, les pertes et les gains en matière d'application de la recommandation relative à quelques imprimés d'importance secondaire.

Le Bureau des traductions a indiqué au Commissaire que le chef de la division multilingue avait rappelé à cette personne que le français était, au même titre que l'anglais, langue officielle au Canada.

*Dossiers nos 1123, 1124, 1125, 1130, 1133, 1137—Célébrations de la fête du Canada*

Six anglophones protestent énergiquement contre la présentation unilingue française des commentaires lors du récital donné par un pianiste québécois réputé sur la colline parlementaire dans le cadre des célébrations de la fête du Canada en 1972.

Le ministère a admis sa responsabilité quant à l'organisation de ces festivités.

Le Commissaire a répondu aux plaignants qu'il regrettait que cet incident ait gâché leur plaisir à cette soirée musicale. Il a admis que le Secrétaire d'Etat aurait dû également prévoir la présentation de commentaires en anglais pour le bénéfice des anglophones de l'auditoire. Même s'il arrivait rarement que l'anglais soit exclu de la colline parlementaire, cela n'excusait pas les organisateurs, en la circonstance, de ne pas s'être conformés à la Loi sur les langues officielles qui protège de façon impartiale les droits de l'anglais et du français. Il a ajouté qu'à titre de Commissaire aux langues officielles comptable au Parlement, il avait formellement recommandé que des manifestations de ce genre tenues où que ce soit au Canada, sous les auspices du gouvernement fédéral, devraient toujours respecter l'égalité du statut, des droits et des privilèges des deux langues officielles telle que précisée dans la loi.

*Dossier no 1146—Festival Canada*

Un anglophone se plaint que, dans la section bilingue de la brochure Festival Canada publiée par le ministère, le calendrier des manifestations indique les heures à la française, par exemple : 20 h 00, plutôt que 8 p.m., que le plaignant considère conforme à la manière anglaise. Le ministère a expliqué que le système de 24 heures, d'ailleurs fréquemment employé par les compagnies ferroviaires et aériennes pour leurs horaires et leurs brochures d'information, pouvait être immédiatement compris des anglophones et des francophones, qu'ils soient canadiens ou étrangers.

Le plaignant a répondu que le ministère n'avait pas saisi le motif de son grief : ce n'était pas à l'utilisation du système de 24 heures qu'il s'objectait mais à l'emploi, dans la section bilingue de la brochure, de la méthode française pour indiquer l'heure.

Le ministère a alors souligné que même si le système de 24 heures n'était pas utilisé dans le monde entier, il existait plusieurs façons



La demande en français, il a reçu de la part du Bureau du personnel une lettre rédigée en anglais.

Le ministère a assuré le Commissaire qu'il avait envoyé au plaignant une seconde attestation, en français cette fois. Il a ajouté que de tels incidents allaient à l'encontre de ses directives relatives au bilinguisme et qu'il avait invité le personnel à prendre les mesures nécessaires pour éviter la répétition.

*Dossier n° 1677—Au téléphone*

La plaignante téléphone au numéro des renseignements généraux de la Direction de l'administration du personnel pour obtenir des renseignements au sujet d'un service culturel. La personne qui répond ne peut s'exprimer en français. On transfère la plaignante à un deuxième et à un troisième numéro avant qu'elle puisse se faire servir en français. D'après la version du ministère, il semblerait que la personne ait téléphoné au moment de la pause café alors que la Direction n'était pas en mesure de fournir des services bilingues. Le ministère a assuré le Commissaire qu'il y aurait dorénavant en permanence une personne capable de répondre en tout temps dans les deux langues officielles.

*Dossier n° 1098—Cour de la citoyenneté*

Une anglophone se plaint des conditions linguistiques requises pour un poste de réceptionniste-commis aux renseignements auprès de la Cour de la citoyenneté à Halifax.

Le Commissaire lui a expliqué que tout comme les ministères et les organismes chargés de développer le bilinguisme au sein de la fonction publique fédérale, son bureau visait avant tout à promouvoir le bilinguisme institutionnel.

Le Conseil du trésor et le ministère concerné déclaraient bilingues certains postes mais tous les échelons n'exigeaient pas invariablement des compétences dans les deux langues.

Le Commissaire a conseillé à la plaignante de s'adresser à son ministère, car sa question avait trait aux exigences linguistiques d'un poste précis.

*Dossier n° 1422—Bureau des traductions*

Le plaignant signale que son épouse a téléphoné à la section des langues slaves au Bureau des traductions pour demander si le ministère des Affaires extérieures employait des traducteurs du russe vers le français. La personne qui lui a répondu aurait affirmé que le français était une langue étrangère.

• Le plaignant demande une attestation concernant son emploi à la Direction de la citoyenneté. Bien qu'il soit francophone et qu'il ait fait

toujours être servis dans la langue officielle de leur choix.

du personnel soient telles que les deux groupes linguistiques puissent qui comportent des services au public, la composition et la répartition Le Commissaire a invité le ministère à veiller à ce que, dans les secteurs En s'inspirant du vieil adage « Mieux vaut prévenir que guérir », attention, il s'empressait de présenter ses excuses.

erreurs pouvaient être commises et que, lorsqu'on les portait à son Le ministère a souligné que sa politique consistait à répondre aux demandes dans la langue officielle du correspondant. Il a ajouté que des mes d'être en réponse à une demande rédigée en français.

• Une circulaire en anglais est envoyée par la Division des programmes d'être en réponse à une demande rédigée en français.

*Dossiers nos 574, 994—Correspondance*

à trouver un poste à sa convenance.

à la plaignante en accédant à sa demande de mutation et en l'aidant concernées. Après examen, celles-ci ont finalement donné satisfaction A titre officieux, le Commissaire a exposé la situation aux autorités elle s'est heurtée aux mêmes difficultés.

tion; aussi a-t-elle demandé à être mutée dans un autre ministère, mais dépit de ses efforts incessants, il lui a été impossible d'obtenir satisfaction poste de surveillance, car aucun travail ne se faisait en français. En elle, il n'était absolument pas nécessaire d'être bilingue pour occuper ce titulaire à ce poste et a dû reprendre ses fonctions antérieures. Selon Pour des raisons linguistiques, elle n'a pas été autorisée à se faire à titre intérimaire et estime avoir accompli sa tâche avec efficacité. bilingue. Pendant quelque temps, elle a occupé un poste de surveillance victime d'une discrimination flagrante due au fait qu'elle n'était pas Une anglophone à l'emploi du ministère se plaint d'avoir été

*Dossier n° 709—Fonctionnaire unilingue*

## 2. Divers

employé de soutien, pour s'occuper des projets des francophones.

recruté pour l'été 1973 deux bilingues : un agent de projets et un En août 1973, le Commissaire a été informé que le ministère avait provincial.

avec deux francophones, une travailleuse sociale et un fonctionnaire le personnel de Perspectives-Jeunesse devait travailler en collaboration

tion, laquelle avait été corrigée rapidement par le ministère de la Main-d'œuvre et de l'Immigration.

Dossier n° 1012—Au Manitoba

Un francophone de Saint-Boniface présente à Perspectives-Jeunesse un projet en français qui est accepté. Désireux d'obtenir des renseignements supplémentaires, il téléphone au bureau de Winnipeg et ne peut obtenir de service en français. De plus, il déclare que l'agent de projets pour le programme « Été 1972 » ne pouvait s'exprimer en français.

Le ministère a répondu que le bureau de Winnipeg retenait les services d'un agent de projets bilingue. Comme celui-ci devait rencontrer plusieurs groupes afin d'évaluer le travail accompli, il s'absentait souvent du bureau. Ce fut sans doute le cas au moment où le plaignant a téléphoné.

Par la suite, le plaignant a informé le Commissaire qu'il avait dû se rendre à Winnipeg pour expliquer en anglais le projet qu'il avait rédigé en français. De plus, il s'est vu dans l'obligation de s'exprimer en anglais chaque fois qu'il a communiqué par téléphone au bureau de Winnipeg puisqu'aucun membre du personnel de soutien administratif ni aucun agent de projet n'était en mesure de lui répondre en français, même après plusieurs requêtes.

Le Commissaire a demandé des précisions au ministère sur la composition de son personnel et l'aptitude de celui-ci à s'exprimer en français. Le ministère a répondu qu'en 1972 seulement cinq des projets en cours dans la région de Winnipeg avaient été présentés par des francophones. Dans les circonstances, il avait estimé que la présence d'un seul agent de projets pouvant s'exprimer en français suffirait. D'après le plaignant cette solution était inadéquate. Comme Perspectives-Jeunesse était un programme saisonnier dont le personnel de soutien se renouvelait chaque année, le ministère a promis d'en tenir compte dans le recrutement du personnel pour le programme 1973.

Afin d'assurer des services conformes aux exigences de la Loi sur les langues officielles, le Commissaire a recommandé que l'organisme prenne des mesures appropriées pour que les projets soumis en 1973 par les francophones de la région de Winnipeg soient confiés à un ou plusieurs agents de projets pouvant s'exprimer en français. Il a aussi demandé au ministère de le tenir au courant des mesures prises pour donner suite à cette recommandation.

Au début de mai 1973, le ministère a fait part au Commissaire que les agents de projets du bureau de Winnipeg avaient établi des relations étroites avec des représentants du milieu francophone qui agissaient en tant que conseillers et que des réunions fréquentes avaient lieu entre ces deux groupes. De plus, lors de la sélection des projets,



Deux francophones font part au Commissaire de leurs inquiétudes quant à l'évaluation équitable des projets soumis par des francophones de la Nouvelle-Ecosse. D'après les plaignants, le secteur atlantique bilingues, et les quatre évaluateurs de projets seraient des anglophones unilingues. De plus, l'information assurant la promotion des programmes aurait été donnée par des représentants unilingues anglophones dans les écoles acadiennes et ceux-ci, lors de réunions, n'auraient répondu qu'en anglais aux questions posées en français. On se demande combien de projets soumis par des groupes francophones parviendront à l'administration centrale et comment l'égalité des deux langues officielles sera respectée.

Le ministre a informé le Commissaire qu'il avait nommé un francophone en Nouvelle-Ecosse afin de faciliter les communications avec les groupes concernés et d'améliorer la qualité des services offerts en français. Il a de plus fait savoir que les vingt-cinq projets soumis par les francophones du secteur atlantique avaient été évalués équitablement par les deux agents bilingues déjà affectés à l'analyse des projets.

Le Commissaire a transmis aux plaignants les renseignements obtenus du ministère.

*Dossiers nos 1103, 1748—En Ontario*

En juin 1972, un groupe de francophones de Camp Rapprochement à St. Catharines, se plaint de ne pas avoir été servi en français par les responsables du programme Perspectives-Jeunesse. Leur agent de projets était un anglophone unilingue et toutes les réunions d'information se tenaient en anglais.

Un autre plaignant déclare qu'en janvier 1973, s'étant rendu aux Centres de main-d'œuvre de Welland et de St. Catharines, il lui avait été impossible d'obtenir des formules de demande en français pour ce programme. Une semaine plus tard, cependant, il les recevait par la poste.

Le ministre a informé le Commissaire qu'en septembre 1972, il avait nommé un agent de projets bilingue responsable de la région de St. Catharines et qu'il avait envoyé au groupe de jeunes gens une brochure d'information en français. En 1973, il avait l'intention de recruter au moins un agent de liaison parlant français, afin que la population francophone du Sud-est ontarien puisse être servie dans sa langue. Le ministre a reconnu qu'en janvier 1973, les Centres de main-d'œuvre de Welland et de St. Catharines ne disposaient d'aucune formule de demande en français. Cela était dû à une erreur de distribution.

Les autres plaintes portaient sur les services au public en général et à Ottawa que dans les régions. Dans chaque cas, le ministère a affirmé qu'il s'agissait d'une erreur administrative qui ne reflétait en rien une ligne de conduite en matière de langues officielles. Il a présenté ses excuses aux plaignants et assuré le Commissaire qu'il mettait tout en œuvre afin d'éviter la répétition de ces incidents.

## PLAINTES

### 1. Perspectives-Jeunesse

*Dossiers nos 794, 1104—A l'île-du-Prince-Édouard*

• Un plaignant rapporte que le coordonnateur de Perspectives-Jeunesse à l'île-du-Prince-Édouard est unilingue anglophone. Il précise que sur les formules françaises on demande aux francophones de discuter de leurs projets avec le coordonnateur pour obtenir son accord. Comme ce dernier ne comprend pas le français, il entérine les projets sans les lire.

Le ministère a souligné au Commissaire que même si à l'île-du-Prince-Édouard l'agent de projets était anglophone, sa compréhension du français était suffisante pour lui permettre d'offrir aux participants francophones de cette province les services nécessaires à la bonne marche de leurs projets. Il a ajouté que l'agent de projets en Nouvelle-Écosse qui était francophone portait une attention toute particulière aux projets des francophones de l'île-du-Prince-Édouard.

Comme la version du ministère différerait sensiblement de celle du plaignant, le Commissaire a invité ce dernier à lui faire part de ses observations. Il n'a pas donné suite à cette invitation.

• Un francophone de l'île-du-Prince-Édouard envoie au Commissaire copie d'une lettre en anglais signée par le Secrétaire d'État et adressée à la responsable d'un projet soumis par des francophones. À cette lettre il ajoute une copie du « Contenu de l'entente » sur laquelle il a encercle les nombreuses fautes qu'aurait commises Perspectives-Jeunesse en retranscrivant un passage du texte original.

Le ministère a souligné que plus de dix-neuf mille projets avaient été soumis à « Perspectives-Jeunesse 1972 » et qu'en trois semaines plus de seize mille lettres de refus avaient dû être expédiées.

Le ministère a informé le Commissaire qu'afin d'éviter la répétition d'erreurs semblables, Perspectives-Jeunesse avait mis sur pied un service d'information composé d'agents spécialisés dans la rédaction de lettres soit en anglais soit en français.

Les autorités municipales de Gravelbourg font part au Commissaire de leur désir d'obtenir du ministère des services dans les deux langues officielles.

Des agents du ministère ont étudié la question sur place avec le maire et le secrétaire. Ils ont ensuite déclaré au Commissaire que le ministère n'envisageait pas d'ouvrir à Gravelbourg un bureau qui fonctionnerait même à temps partiel. La population locale pouvait cependant, dans les cas d'urgence, obtenir des renseignements par téléphone aux frais du gouvernement. Si les problèmes s'avéraient nombreux, le ministère était disposé à déléguer au besoin un agent à Gravelbourg pour les résoudre.

Le ministère a en outre offert de tenir une réunion en français ou d'organiser un programme à la radio locale sur les modalités des Régimes de pensions du Canada et de sécurité de la vieillesse.

La solution proposée par le ministère a semble satisfaisante les citoyens de Gravelbourg.

SECRÉTARIAT D'ÉTAT — « Le charme discret de la bourgeoise »

## APPRECIATION

Au cours des trois dernières années le Commissaire a reçu 41 plaintes contre ce ministère. De ce nombre, 31 comportaient des infractions à la Loi sur les langues officielles et ont reçu de la part du ministère une attention rapide et soignée.

La répétition de plaintes de même nature laisse cependant supposer que le ministère n'a pas toujours réussi à motiver suffisamment ses employés afin de réduire les erreurs administratives et d'assurer ainsi au public des services dans la langue officielle préférée par le citoyen. En outre, il ne semble pas avoir été en mesure de placer sans intervention du Commissaire à la suite de plaintes, un nombre suffisant de personnes bilingues dans les bureaux régionaux pour répondre aux exigences du public, plus particulièrement en ce qui concerne la mise en application du programme *Perspectives-Jeunesse*.

Les services offerts au public dans le cadre de la mise en œuvre du programme *Perspectives-Jeunesse* ont suscité dix plaintes. Alors que six d'entre elles concernaient les provinces de l'Atlantique, deux venaient de Winnipeg et deux autres de St. Catharines, en Ontario. Elles portaient en général sur le manque de services adéquats en français. A la suite de l'intervention du Commissaire, le ministère a décidé d'améliorer la situation en recrutant des agents de projet bilingues.



Deux francophones attirèrent l'attention du Commissaire sur des articles parus le 7 décembre 1972 dans *La Presse* et *Le Droit* signalant qu'il n'y avait pas de documents officiels en français à la conférence nationale sur l'excellence physique.

Le ministère a répondu ce qui suit au Commissaire :

- (1) Tous les documents officiels portant sur la conférence, transmis à l'avance ou remis aux délégués lors de leur inscription, étaient disponibles dans les deux langues officielles.
- (2) Toutes les affiches, les lettres adressées aux délégués, les communiqués et les invitations étaient présentés en anglais et en français.
- (3) Le Secréariat d'Etat a fourni un service de traduction simultanée à toutes les séances plénières, ainsi que dans les salles de trois ateliers de travail.

(4) La présentation sommaire ne devait à l'origine être faite que verbalement mais elle a toutefois été distribuée sous forme d'ébauche. C'est ce document, qui n'était disponible qu'en anglais, qui a été remis à la presse.

(5) Le président de la conférence a précisé, cependant, que le rapport définitif qui serait envoyé plus tard aux délégués, serait bilingue. En outre, il a assuré le ministère que les délibérations de la deuxième Conférence sur le loisir de Montmorency seraient publiées simultanément dans les deux langues officielles.

Après avoir pris connaissance de cette version, le Commissaire a recommandé au ministère de veiller à ce que tous les documents destinés au public au cours de ces conférences soient présentés dans les deux langues officielles.

#### Dossier no 1506—Territoire du Yukon

Un francophone demeurant au Yukon se plaint auprès du Commissaire de ce que la carte d'adhésion au régime d'assurance-maladie du Yukon ne soit rédigée qu'en anglais.

Le ministère a fait savoir au Commissaire que le document mentionné dans la plainte avait été émis par le gouvernement territorial dont relevait le régime d'assurance-maladie. Le ministère n'avait que la responsabilité du partage des frais en vertu de la Loi sur les soins médicaux et, en conséquence, ne pouvait intervenir dans l'administration de ce programme.

Suivant une suggestion du ministère des Affaires indiennes et du Nord, le Commissaire a porté la plainte à l'attention du Commissaire du Territoire du Yukon pour qu'il y donne suite. Le résultat de l'instruction paraîtra dans le prochain rapport annuel.

Le Commissaire a pris note de la version du ministre et lui a néanmoins suggéré d'insister auprès de tous ceux qui doivent communiquer avec le public pour qu'ils redoublent d'attention afin que toute correspondance soit toujours envoyée dans la langue du destinataire.

- Un francophone fait grief au bureau régional de Québec d'avoir écrit à son épouse au sujet de son allocation familiale sur la partie anglaise d'une lettre-formule.
- Le ministre a expliqué son erreur par le fait que l'épouse du plaignant avait elle-même rempli en français la formule de demande d'allocation mais sur la partie anglaise.
- Le ministre a néanmoins tenu à présenter ses excuses à l'épouse du plaignant.

- Un francophone de Montréal reçoit une enveloppe du ministre sur laquelle l'adresse Educational Service Division, Health Protection Branch, Tunney's Pasture figure en anglais seulement ainsi que la mention Printed Matter.
- Le ministre a exprimé ses regrets au Commissaire au sujet de cet incident, d'autant plus qu'il utilisait habituellement des tampons bilingues. Il a également fait savoir au Commissaire que les responsables du service concerné avaient reçu des instructions précises pour éviter la répétition de tels incidents.

#### *Dossier n° 1032—Chèque d'allocations familiales*

Un francophone de Sudbury demande au Commissaire pourquoi le gouvernement canadien n'a pas suivi, dans ses politiques de bilinguisme, les modèles belge et sud-africain. Il signale également que sa mère aimerait voir figurer en français ses nom et adresse sur son chèque d'allocations familiales.

Le Commissaire a signalé au plaignant que les pratiques de certains pays bilingues, dont la Belgique et l'Afrique du Sud, avaient été étudiées avec soin par la Commission royale d'enquête sur le bilinguisme et le biculturalisme. Celle-ci en était venue à la conclusion que le contexte canadien ne permettrait pas de suivre les modèles en question. Il a donc été décidé de recommander au gouvernement canadien l'adoption de mesures visant à l'établissement du bilinguisme institutionnel destiné à assurer au public des services dans les deux langues officielles, sans pour autant exiger que tous les fonctionnaires soient bilingues.

En ce qui concerne les inscriptions sur le chèque d'allocations familiales, à la requête du Commissaire, le ministre a effectué les changements nécessaires.

officielle du destinataire. Il entendait, cependant, remplacer ses adresses géographiques par des ordinateurs d'ici 1974-1975. Ce système comprendrait un code qui permettrait à l'ordinateur de reconnaître les préférences linguistiques après un premier contact avec le destinataire. Le Commissaire a invité le ministère à étudier la possibilité de scruter les formules triées une deuxième fois avant qu'elles ne soient renvoyées aux particuliers pour être complétées.

- Un fonctionnaire francophone d'Ottawa attire l'attention du Commissaire sur une faute grammaticale qui s'est glissée dans le texte français de la formule bilingue CPP2502 (10-71) ( « Autorisation de dévoiler des renseignements médicaux et emploi » ), utilisée par la Direction générale du régime de pensions du Canada. Le ministère a donné raison au plaignant et a pris des mesures pour que l'erreur soit corrigée lors de la prochaine impression de la formule.

- Un plaignant francophone affirme que la formule postale 7690-21-029-1566 utilisée par le programme Nouveaux Horizons du ministère est uniquement en anglais. Il relève également deux fautes d'orthographe sur une étiquette en français qu'on lui avait adressée. Le ministère a déclaré que les personnes chargées de l'application du programme Nouveaux Horizons veillaient très soigneusement à éviter que des fautes d'orthographe ne se reproduisent et que le ministère disposait désormais d'une formule postale bilingue. Le plaignant a été informé des mesures prises.

#### *Dossier n° 706—Communiqués de presse*

La rédaction d'un hebdomadaire de langue française de l'Ouest se plaint de ce que le ministère lui envoie des communiqués en anglais. Le ministère a informé le Commissaire qu'il ne pouvait s'agir que d'une erreur involontaire, ses listes d'envoi étant tenues à jour par catégorie de destinataires et selon la langue d'usage. L'erreur, s'étant répétée, le Commissaire est revenu à la charge et le ministère, après enquête, a pu apporter immédiatement les correctifs nécessaires.

#### *Dossiers nos 1049, 1213, 1318—Correspondance*

- Le Commissaire reçoit par l'entremise du Secréariat d'Etat copie d'une correspondance échangée entre la Direction des aliments et drogues et un francophone de Québec. Ce dernier reproche au ministère d'avoir répondu en anglais à une lettre rédigée en français. Le ministère a reconnu son erreur au sujet de la lettre. Toutefois, il a tenu à souligner que le rapport qu'il avait présenté au plaignant avait été rédigé en français.



conformait aux dispositions de la Loi sur les langues officielles relatives à la langue de service.

L'enquête a révélé que ce bureau avait fait preuve d'un louable esprit d'initiative pour offrir des services bilingues au public et que son personnel s'efforçait sincèrement de respecter à la fois la lettre et l'esprit de la loi.

Le groupe d'étude a constaté que les quatre agents du bureau étaient tous capables, dans les rapports extrêmement variés qu'ils avaient avec le public, de servir les administrés dans les deux langues officielles. Sans exception aucune, tous les formulaires, panneaux et écritureaux étaient bilingues ainsi que les publications; pour ses annonces et sa publicité, le bureau utilisait à peu près également les organes d'information français et anglais; environ 20 p. 100 de la correspondance qu'il recevait était en français et il y répondait dans la même langue. L'étude n'a en fait détecté qu'une seule lacune, d'ailleurs fort mineure : l'absence de cartes de visite bilingues. C'est pourquoi l'unique recommandation formulée demandait :

que toutes les cartes de visite du personnel autorisé à Moncton soient imprimées dans les deux langues, soit d'un côté soit des deux.

## PLAINTES

*Dossiers nos 631, 1319, 971, 1325—Formules diverses*

• Deux francophones de l'Ouest reprochent au ministère de ne pas servir le public dans la langue officielle de son choix. Leurs griefs ont trait aux formules relatives au supplément du revenu garanti à la pension de sécurité de la vieillesse et aux allocations familiales. Dans le premier cas, on avait inscrit les nom et adresse sur la partie anglaise des formules; dans le second, les formules avaient été retournées parce qu'elles étaient signées du côté français.

Le ministère a fait savoir au Commissaire que les formules en question étaient imprimées recto verso, en français et en anglais, et étaient envoyées à leurs destinataires au moyen d'adresses par le ministère des Approvisionnements et Services.

Lorsque le ministère avait étudié la question de la distribution des formules, le problème du choix du côté à utiliser pour l'adresse s'était posé. Il avait alors décidé que le côté français des formules serait destiné au Québec et le côté anglais aux autres régions du Canada, le destinataire restant évidemment libre de remplir la formule dans la langue officielle de son choix. Suite à ces plaintes, le ministère a envisagé la possibilité de faire un nouveau classement des plaques matricules des adresses afin de tenir compte de la langue

Cette étude avait pour principal but de déterminer dans quelle mesure le Bureau du Régime de pensions du Canada, à Moncton, se

## ETUDE SPÉCIALE — BUREAU DU RÉGIME DE PENSIONS DU CANADA, MONCTON

(22) de présenter au Commissaire aux langues officielles, avant le 31 décembre 1973, un compte rendu des efforts et des progrès faits dans le domaine de l'apprentissage des langues.

(21) de réexaminer son principe voulant un remboursement à 50 p. 100 seulement des dépenses engagées par les employés du Régime de pensions du Canada pour suivre les cours de langue et d'envisager la possibilité d'offrir le remboursement complet, comme c'est le cas dans les autres directions;

(20) de réexaminer immédiatement l'application de ses principes en matière d'apprentissage des langues en ce qui concerne l'administration centrale et, plus particulièrement, les bureaux régionaux :

(a) en communiquant directement avec les bureaux régionaux au sujet des programmes de formation linguistique et en les tenant constamment au courant de tous les programmes en cours;

(b) en faisant connaître aux bureaux régionaux toutes les écoles et institutions agréées qui dispensent un enseignement des langues et en mettant tout en œuvre, de concert avec eux, pour que les membres du personnel s'inscrivent à ces cours;

### *Apprentissage des langues*

(19) de s'assurer dorénavant qu'il y ait une répartition équitable des séances entre les films français et anglais toutes les fois qu'il prendra l'initiative de présenter des films pendant des expositions ou d'autres réunions à caractère public;

(18) (a) de s'assurer, chaque fois que le nom du ministre ou d'un de ses services figure sur des écrits employés dans les expositions et les foires, que ce nom figure dans les deux langues officielles et que tous les textes destinés au public soient bilingues;

(b) de s'assurer dorénavant, dans toutes les foires et expositions, chaque fois qu'il y a participation du ministre ou d'un de ses services, qu'il soit prévu un nombre approprié de bilingues ou d'unilingues des deux groupes linguistiques pour fournir les services au public dans les deux langues officielles;

### *Expositions et films*

(17) de s'assurer que les services d'information du bureau d'Hallifax aient un effectif qui leur permette dès leur mise en place d'informer et de communiquer dans les deux langues;

(16) de s'assurer que les services d'information du bureau d'Hallifax aient un effectif qui leur permette dès leur mise en place d'informer et de communiquer dans leur langue conformément à la Loi sur les langues officielles;

(15) de s'assurer que les services d'information du bureau d'Hallifax aient un effectif qui leur permette dès leur mise en place d'informer et de communiquer dans leur langue conformément à la Loi sur les langues officielles;

(16) de prendre immédiatement dans les bureaux régionaux, sans menacer la sécurité d'emploi de quiconque, des dispositions concrètes comme l'embauchage, les cours de langue, la réaffectation, un service de commu-

officielles;  
(b) de se servir dorénavant des hebdomadaires comme substituts dans les provinces et régions où les quotidiens font défaut dans une des langues

services aux deux communautés linguistiques;  
(15) (a) de s'assurer que, dorénavant, les supports publicitaires ou les organes de communication choisis permettent de fournir réellement les

soient toujours assurées également dans les deux langues officielles;  
et des renseignements particuliers (demandés par téléphone, par exemple) que la publicité et la promotion et que la diffusion de l'information générale

(14) de faire en sorte que les relations avec la presse anglaise et française, Services d'information

réceptionnistes à répondre aux appels dans les deux langues officielles;  
du conseiller en bilinguisme) conçus pour apprendre aux secrétaires et aux employés soient admis aux cours de langue spéciaux (dispensés sous l'égide standardistes ne sont pas bilingues, les responsables veillent à ce que ces

(b) que dans les bureaux mentionnés en 13(a) où les réceptionnistes-capable de lui répondre dans la langue de son choix;  
ait sa demande immédiatement transmise dans sa langue à un employé ou sur place, qui ne peuvent lui être assurés par la réceptionniste de service,

dant des services dans l'une ou l'autre des langues officielles, par téléphone soit déclinée dans les deux langues officielles et que toute personne demandont dépend une minorité de langue officielle, que l'identité des bureaux

gionaux desservant des provinces entières et dans les bureaux régionaux ré-

#### *Téléphone et accueil*

(13) (a) de s'assurer, à l'administration centrale, dans les bureaux ré-

capable de lui répondre dans la langue de son choix;

ait sa demande immédiatement transmise dans sa langue à un employé

dant des services dans l'une ou l'autre des langues officielles, par téléphone

soit déclinée dans les deux langues officielles et que toute personne deman-

dont dépend une minorité de langue officielle, que l'identité des bureaux

gionaux desservant des provinces entières et dans les bureaux régionaux ré-

capable de lui répondre dans la langue de son choix;

ait sa demande immédiatement transmise dans sa langue à un employé

dant des services dans l'une ou l'autre des langues officielles, par téléphone

soit déclinée dans les deux langues officielles et que toute personne deman-

dont dépend une minorité de langue officielle, que l'identité des bureaux

gionaux desservant des provinces entières et dans les bureaux régionaux ré-

capable de lui répondre dans la langue de son choix;

ait sa demande immédiatement transmise dans sa langue à un employé

dant des services dans l'une ou l'autre des langues officielles, par téléphone

soit déclinée dans les deux langues officielles et que toute personne deman-

dont dépend une minorité de langue officielle, que l'identité des bureaux

gionaux desservant des provinces entières et dans les bureaux régionaux ré-

capable de lui répondre dans la langue de son choix;



(3) de poursuivre activement la réalisation de son programme visant à rendre ses écrans et tableaux indicateurs bilingues, afin que l'opération soit terminée d'ici le 30 septembre 1973;

#### *Inscriptions dans les annuaires téléphoniques*

(4) (a) de veiller à ce que tous ses bureaux fassent inscrire dans les deux langues leurs services dans les annuaires de téléphone et de se mettre en rapport avec l'Agence des télécommunications du ministère des Communications pour qu'elle l'assiste dans ses pourparlers à ce sujet avec les compagnies de téléphone des secteurs où il a été difficile jusqu'à d'obtenir l'insertion d'inscriptions bilingues;

(b) en attendant que tous les bureaux soient inscrits dans les deux langues dans les annuaires, de s'assurer que la liste des numéros de téléphone de tous les bureaux non inscrits soit publiée, chaque trimestre, dans les hebdomadaires de langue française appropriés;

#### *Publications*

(5) de rendre bilingues d'ici le 30 septembre 1973 toutes les publications encore unilingues publiées par le ministère et destinées au public;

#### *Formulaires*

(6) de rendre bilingues d'ici le 31 décembre 1973 tous les formulaires publics encore unilingues, qu'ils soient publiés à l'administration centrale ou dans les bureaux régionaux;

#### *Timbres de caoutchouc*

(7) de rendre bilingues d'ici le 30 septembre 1973 tous les tampons de caoutchouc et les empreintes de machines à affranchir;

#### *Réception (documentation)*

(8) de s'assurer que tous les services de réception de tous les bureaux disposent en permanence, dans les deux langues officielles, de toutes les brochures, publications, affiches ou de tous autres documents visuels émanant de leur propre ministère ou de tout autre ministère fédéral et que toutes les revues et brochures ou autres documents visuels de langue française ou anglaise de source non fédérale soient mis à la disposition de leur public en proportions équitables;

#### *Bilinguisme oral*

(9) (a) d'examiner sans tarder la composition du personnel de chaque service, programme, bureau, etc., afin d'apprécier l'aptitude de ces derniers à répondre aux exigences de la Loi sur les langues officielles en matière de service;

(b) d'effectuer d'ici le 30 septembre 1973 un relevé statistique du personnel permanent et contractuel, temporaire et surnuméraire à long terme (6 mois et plus) comprenant des renseignements concernant le bilinguisme du

de la Commission de la fonction publique. La Direction prévoyait que le seul bureau régional à être doté d'un personnel bilingue serait celui de Montréal.

Pour leurs campagnes publicitaires, les Services d'information avaient recours aux media suivants : radio, télévision et quotidiens. La presse écrite posait un problème du fait que des quotidiens de langue française ne paraissaient que dans trois provinces d'où, évidemment, l'impossibilité pratique d'atteindre tous les francophones du pays. Il existait bien, dans certains cas, des hebdomadaires français, mais leurs services n'étaient pas sollicités. Plusieurs directions diffusaient des films, qui n'étaient pas toujours produits en versions française et anglaise.

Les cours de langue soulevaient des difficultés particulières en raison d'un manque apparent de communication entre l'administration centrale et ses bureaux régionaux à propos des divers aspects de ce programme. Ainsi 45 employés de l'administration centrale suivaient cours alors que seuls quelque 25 agents des bureaux visités répartis à travers le pays y étaient inscrits en 1971-1972. Rares étaient les bureaux régionaux qui faisaient subir aux membres de leur personnel les tests linguistiques et l'une des directions ne remboursait pas entièrement les cours de langue, à l'encontre de l'usage établi au ministère.

L'élément du Bien-être social a fait des efforts réels pour instituer le bilinguisme institutionnel dans nombre de services, tout particulièrement en ce qui a trait aux aspects visuels. Cependant, dans d'autres secteurs, notamment ceux de l'information, du personnel et des cours de langue, l'élément ne respectait pas entièrement l'esprit de la loi et l'intention du législateur. Compte tenu de ces lacunes, le Commissaire a recommandé :

#### *Politique générale*

(1) de désigner pour l'application de la Loi sur les langues officielles un haut fonctionnaire responsable :

(a) de l'établissement d'objectifs et de la mise au point et de la réalisation des programmes qui en découleraient; et

(b) de la surveillance et du contrôle de toute l'activité relative aux divers aspects du bilinguisme au regard de la Loi sur les langues officielles;

#### *Information destinée au personnel*

(2) (a) de mettre au point immédiatement un vaste programme d'information destiné au personnel, conçu en fonction des exigences de la loi et faisant suite à la politique ministérielle; et

(b) de s'assurer que tous les fonctionnaires de l'administration centrale comme des bureaux régionaux soient parfaitement renseignés et que toutes les nouvelles recrues (fonctionnaires permanents, agents contractuels, employés engagés à titre temporaire, etc.) soient sensibilisées à la politique établie et sachent quoi faire pour s'y conformer;

fication familiale, dont un seul employé était bilingue, devait, elle aussi, accroître son degré de bilinguisme.

L'étude a également porté sur un certain nombre de bureaux régionaux et locaux de la Direction générale de la sécurité de revenu, de la Direction générale du régime de pensions du Canada, du programme Nouveaux Horizons, de la Direction du régime d'assistance publique du Canada, de la Direction de l'information, de Sport Canada et de Loisirs Canada. (Ces deux derniers relèvent maintenant de la Santé.)

Tous les bureaux de la Sécurité de revenu, sauf ceux de Terre-Neuve et de l'Île-du-Prince-Édouard, comptaient au moins un agent bilingue, mais seuls les bureaux de Winnipeg, Ottawa (pour la région), Montréal et Québec employaient un personnel itinérant bilingue. Ainsi donc, dans la plupart des provinces, les services de la Direction générale de la sécurité de revenu n'étaient dispensés qu'en une seule langue par ses agents itinérants. D'après les renseignements recueillis, les services fournis aux bureaux eux-mêmes, tant oralement que par écrit, étaient, eux, dans les deux langues dans toutes les provinces disposant d'au moins un employé bilingue, ce qui était le cas de la majorité d'entre elles.

La Direction générale du régime de pensions du Canada employait deux agents bilingues en Alberta, deux en Nouvelle-Écosse, huit au Nouveau-Brunswick et quatre au Manitoba; en revanche, elle n'en avait aucun en Colombie-Britannique, en Saskatchewan, dans l'Île-du-Prince-Édouard, à Terre-Neuve et en plusieurs endroits de l'Ontario; dans l'ensemble de cette dernière province, il y avait 30 employés bilingues sur un total de 172 agents. Le groupe d'étude a toutefois reçu l'assurance des cadres de cette administration que, dans ces régions, le public pouvait au moins obtenir des services écrits en français ou en anglais.

La direction des Nouveaux Horizons, quant à elle, était en mesure de fournir, au moins partiellement, des services bilingues dans plusieurs provinces. Toutefois, en Colombie-Britannique, en Alberta, en Saskatchewan et à Terre-Neuve, aucun de ses employés n'était bilingue, et les représentants de deux de ces bureaux n'envisageaient ni d'embaucher des auxiliaires bilingues, ni de faire appel à des agents bilingues de l'administration centrale pour atteindre les deux communautés linguistiques.

Aucun bilingue n'était affecté aux bureaux régionaux de Sport Canada et de Loisirs Canada.

La Direction de l'information comptait, à son bureau central, 22 agents, dont treize étaient bilingues. Cinq bureaux régionaux étaient en voie d'être établis. Au moment de l'étude, deux agents étaient en poste : l'un bilingue et l'autre diplômé du troisième cycle du cours de français



Tous les services de l'administration centrale sur lesquels a porté l'enquête communiquaient oralement avec le public. Les enquêteurs ont constaté que la section des sports n'était pas toujours en mesure d'offrir ses services dans les deux langues officielles, au contraire de celle des loisirs qui disposait du potentiel nécessaire pour se conformer, à tout moment, aux exigences du bilinguisme institutionnel. Dans le cas de la Direction des subventions nationales au bien-être social, les enquêteurs ont constaté qu'il lui fallait, pour offrir des services égaux dans les deux langues officielles, augmenter la proportion des bilingues parmi ses agents et son personnel de soutien; la Division de la plani-

atteinait ou en voie de l'être. Au moment de l'étude, cet objectif était déjà en grande partie de visite et tous les objets en vue dans les salles d'accueil soient tions dans les annuaires, les publications, les formulaires, les cartes les éléments du bilinguisme visuel comme la signalisation, les inscriptions dans les annuaires, les publications, les formulaires, les cartes La déclaration générale de principes du ministère exigeait que bureau du conseiller en bilinguisme de jouer pleinement son rôle.

De plus, la structure interne du ministère ne permettait pas au linguistique et de recrutement de personnel bilingue. et peu de progrès avaient été enregistrés en matière de formation plusieurs bureaux, le bilinguisme institutionnel était loin d'être réalisé entrepris des réformes utiles dans certains secteurs. Cependant, dans bilinguisme, assortie d'un calendrier d'application, il avait, en outre, fin de 1971, largement diffusé sa déclaration de principes sur le Le groupe d'étude a constaté que le ministère avait, avant la l'objet d'un examen.

L'étude avait pour but de déterminer dans quelle mesure étaient appliquées les dispositions de la Loi sur les langues officielles relatives à la prestation de services au public. Vu que l'élément du Bien-être social a de multiples responsabilités, les services relatifs en particulier aux pensions, aux allocations, aux subventions, aux sports, aux loisirs, aux services sociaux et aux services d'information ont fait l'objet d'un examen.

## ETUDE SPECIALE — ELEMENT DU BIEN-ETRE SOCIAL

Le ministère affirme par ailleurs que tous ses manuels seront bilingues en 1975 et dit encourager ses employés à rédiger en français, déconseillant la traduction de la correspondance. Au cours des réunions, il semble que de plus en plus d'employés s'expriment en français. Au travail, les gens utilisent la langue de leur choix lorsque le surveillant est bilingue, situation que le ministère ne prétend pas toujours être très répandue.

à ses employés de distribuer équitablement la documentation dans les deux langues émanant de ses propres services ou du gouvernement. Pour ce qui est des recommandations 9, 10, 11, 12, 13 et 20, le ministre a procédé à une étude dans ses bureaux régionaux pour établir la demande de services dans la langue officielle de la minorité linguistique et envisageait d'appliquer, à cet égard, les lignes directrices du Conseil du trésor. En décembre 1973, le ministre appliquait les recommandations 14, 15, 16 et 17 concernant les services d'information et avait en outre donné suite à la recommandation 21.

Comme il s'agit là d'une des études les plus récentes du bureau, le Commissaire obtiendra, au moyen de contrôles supplémentaires, des détails sur les résultats de toutes les mesures prises par le ministre pour appliquer ses recommandations.

L'administration de la Santé du ministère de la Santé nationale et du Bien-être social est l'une des vingt institutions fédérales auxquelles le Commissaire a envoyé son questionnaire sur la gestion. Les renseignements généraux obtenus donnent une vue d'ensemble des activités de cette administration dans le domaine des langues officielles depuis les débuts, soit depuis 1970.

La politique de bilinguisme du ministère, élaborée en 1971, a apparemment été distribuée à tous les employés. Selon les renseignements recueillis, bien que l'application de la politique définie en fin de compte de la haute direction, de nombreux autres agents interviennent dans son exécution, y compris le conseiller en bilinguisme, le service de formation linguistique, le service de dotation en personnel bilingue, le service des tests de la connaissance de la langue seconde et le service de contrôle des formules et manuels.

L'information destinée au public est, au dire de l'institution, diffusée dans les deux langues officielles. Assisté par un service central, le ministère se serait donné la tâche de veiller à ce que les formules, les publications et autres documents soient mis à la disposition du public et de ses employés dans les deux langues. Les avis, les affiches et les bulletins d'information sont publiés dans les deux langues et le même principe s'applique aux répertoires téléphoniques. Des lacunes évidentes à ce chapitre doivent d'ailleurs être corrigées d'ici septembre 1974. Le ministère offre l'interprétation simultanée au cours des conférences afin de servir également les participants, anglophones et francophones.

Les deux langues officielles, admet le ministre, ne sont pas encore sur un pied d'égalité sur le plan administratif. Toutefois, les unités de langue française « fonctionnent bien » selon toute apparence et on espère pouvoir augmenter le nombre de ces unités à Ottawa afin d'atteindre un plus juste équilibre dans l'utilisation du français et de l'anglais.

Au cours des trois dernières années, le ministère a rapidement pris des mesures correctives à la suite des 31 plaintes qui ont été déposées contre lui. Des erreurs d'ordre administratif étaient à l'origine de plusieurs d'entre elles. Par exemple, on a expédié une lettre ou un dépliant sans tenir compte de la langue du destinataire ou, encore, un commis a renvoyé à l'administrateur sa formule — pourant bilingue —, parce qu'il n'avait pas vu que c'était le côté français qui avait été rempli. Les plaignants francophones ont également signalé qu'on ne répondait pas toujours en français à leurs demandes de renseignements par téléphone. La plupart de ces plaintes auraient sans doute pu être évitées si les employés avaient mieux su appliquer, dans le cadre de leur travail quotidien, la politique du ministère en matière de bilinguisme. Faiblesse surprenante si l'on considère que le ministère est l'un de ceux qui ont pris la peine d'exposer leur ligne de conduite dans une brochure pratique et facile à lire destinée à informer tous les employés.

Le Commissaire s'est livré à une étude spéciale des services de bien-être du ministère. Ce dernier n'a reçu les recommandations du Commissaire qu'en mai 1973, mais sa façon de les envisager au cours des six mois qui ont suivi a paru encourageante.

En décembre 1973, le ministère a fourni des renseignements généraux sur la suite donnée aux recommandations figurant plus bas et formulées dans le rapport que le bureau lui a envoyé en mai.

En ce qui concerne la recommandation 1, le ministère a décidé de rendre ses sous-ministres adjoints responsables de l'application de la Loi sur les langues officielles dans leurs directions respectives. En réponse à la recommandation 2, le ministère a pris des mesures pour renseigner tout son personnel sur la nouvelle politique en matière de bilinguisme et lui a distribué les deux circulaires du Conseil du trésor à ce sujet. Par surcroît, l'organisme a déclaré avoir envoyé une équipe en tournée dans le pays pour faire comprendre à tous les employés l'importance du programme des langues officielles et leur expliquer les exigences linguistiques de certains postes.

En novembre 1973, le ministère déclarait que les recommandations 3, 4, 6, 7 et 18 concernant les écrits, les formules, les inscriptions dans les annuaires téléphoniques et divers imprimés étaient déjà appliquées ou qu'elles le seraient pour la fin de 1973. Au regard des recommandations 5 et 8, il signalait que toutes ses brochures et publications étaient publiées simultanément dans les deux langues depuis le 17 septembre 1973, et qu'en général le même principe s'appliquait aux affiches et aux autres objets visuels. Le ministère a indiqué qu'il avait demandé



Le Commissaire a expliqué que cette question n'était pas de son ressort, mais il a offert, à titre officieux, de transmettre la lettre de sa correspondante à la Direction de l'impôt. La plaignante a accepté l'offre du Commissaire.

Par la suite, le ministère a informé le Commissaire que la déduction pour 1970 avait été consentie.

*Dossier n° 1097—Mauvais français*

Un plaignant de Welland reproche au ministère la mauvaise qualité du français d'une circulaire bilingue.

Le ministère a admis que les assertions du plaignant étaient fondées et lui a présenté ses excuses. Un employé aurait négligé de faire vérifier sa lettre par le Service de traduction.

Le Commissaire a invité le ministère à apporter une attention particulière à la qualité du français afin que des incidents semblables ne se reproduisent pas.

*Dossier n° 1322—Avis de concours*

Un francophone souligne au Commissaire que les exigences linguistiques de l'avis de concours n° 72-TAX-HO-CCID-109 pour un poste de commis à la division des Impressions et de l'Agence de devaient préciser que la connaissance de l'anglais et du français est essentielle. En effet, si ce poste était accordé à un unilingue anglophone, les fonctionnaires francophones désirant commander des travaux d'impression dans leur langue pourraient se voir privés du droit de travailler dans la langue officielle de leur choix.

L'instruction de la plainte a révélé que le poste faisait partie d'une section comprenant cinq postes dont deux titulaires étaient bilingues. Les fonctionnaires francophones pouvaient donc traiter avec l'un ou l'autre. Tant et aussi longtemps que ces deux fonctionnaires (ou l'un d'entre eux) pouvaient travailler en français avec les francophones et mener à bien les travaux d'impression qui leur étaient commandés en français, les exigences linguistiques du poste n'empêcheraient pas les francophones de travailler dans leur langue. D'autre part, le ministère a précisé que moins de 10 p. 100 du travail de cette section se faisait en français.

Le Commissaire a informé le ministère que si cette section pouvait, ainsi qu'il le laissait entendre, accomplir son travail avec la même efficacité dans les deux langues officielles, elle satisferait alors aux exigences du bilinguisme institutionnel sans qu'il ait besoin de déclarer le poste bilingue.

Le ministre a prié le Commissaire de transmettre ses excuses à son bureau de Saint-Jean de faire parvenir désormais à la plaignante des formules en français.

*Dossiers nos 1651, 1819—Ottawa*

• Un transcophone, ayant rempli sa déclaration d'impôt en français, fait grief au ministre de lui avoir fait parvenir en anglais une demande de renseignements supplémentaires.

Le ministre a informé le Commissaire que la déclaration d'impôt du plaignant se trouvait dans un lot d'une cinquantaine de déclarations faites en anglais et les commis ont oublié de transmettre sa déclaration au service approprié. Malgré que les instructions données aux employés quant à l'usage des langues soient très précises, le ministre a néanmoins cru bon d'attirer leur attention sur cet incident afin d'en éviter la répétition.

• Un plaignant informe le Centre des données fiscales à Ottawa de son changement d'adresse. Sa lettre lui revient portant un tampon indiquant la date, avec la mention suivante : « Received — Taxation Centre ». Il estime que le tampon aurait dû être en français ou dans les deux langues.

Le ministre a informé le Commissaire qu'il répondait aux lettres dans la langue officielle utilisée par les correspondants. C'était par méprise qu'on avait retourné sa lettre au plaignant et il était peu probable que cette erreur se reproduise. Le ministre a ajouté qu'il était possible d'obtenir des tampons bilingues là où le personnel des deux groupes linguistiques pouvait en avoir besoin.

Le Commissaire a accepté l'explication du ministre, à savoir que le plaignant s'était vu retourner sa lettre par erreur. Il a recommandé que le Centre se munisse de tampons bilingues dans les délais les plus brefs.

Le ministre a remplacé les tampons unilingues par d'autres bilingues.

*4. Divers*

*Dossier no 1090—Déductions fiscales*

Une anglophone a suivi des cours de français dont elle avait assumé les frais en 1970 et en 1971. Elle se demande pourquoi le ministre lui a accordé la déduction des frais de cours suivis en 1971 et n'a pas autorisé la même déduction en 1970.

Une plaignante de Moncton reproche au bureau de Saint-Jean d'avoir répondu en anglais à une lettre écrite en français. Après enquête, le bureau a souligné qu'on avait écrit en anglais à la plaignante parce que celle-ci avait rempli sa formule d'impôt dans cette langue. Cependant, il n'y avait aucune raison valable pour qu'on réponde en anglais à une demande de renseignements rédigée en français. En effet, selon les directives du ministère, les employés doivent répondre aux lettres dans la langue officielle utilisée par les correspondants.

*Dossier n° 783—Nouveau-Brunswick*

### 3. *Correspondance*

pas en mesure de les servir dans leur langue d'une manière rapide et satisfaisante.

Le ministère a déclaré qu'il s'efforçait de servir chaque citoyen dans la langue de son choix. Il a expliqué qu'au bureau de district d'Ottawa, sur les dix-huit préposés aux renseignements téléphoniques, dix étaient unilingues anglais et huit bilingues. En outre, deux surveillants parlaient couramment anglais. Les employés unilingues avaient reçu instruction de transmettre à leurs collègues bilingues les appels en français. Pendant les périodes de pointe, cependant, le service était parfois surchargé et l'attente plus longue.

Le ministère a ajouté que, si le plaignant anglophone avait demandé à être servi par un employé anglophone, tous les efforts auraient été faits pour le satisfaire.

Le Commissaire a rappelé au ministère qu'il ne devrait pas être nécessaire de demander expressément à être servi en français ou en anglais. Le seul fait de s'adresser au Service de renseignements dans l'une ou l'autre langue constituait une demande implicite de service dans cette même langue. D'ailleurs, c'était à l'administration qu'incombait le devoir de fournir aux clients des services dans la langue officielle de leur choix. Le Commissaire a ajouté qu'il devrait être facile d'apprendre au personnel à utiliser une expression comme « One moment, please », ou « Un instant, s'il vous plaît » avant de transmettre l'appel à un collègue qui parle la langue du client.

Le Commissaire a recommandé au bureau de district d'Ottawa de répartir son personnel de façon à assurer à toute personne téléphonant pour se renseigner un service rapide dans la langue de son choix. Il a également suggéré qu'un ou deux employés soient préposés aux appels en français, quitte à ce qu'ils transmettent à d'autres les appels en anglais.



• Un francophone et un anglophone déclarent que le Service de renseignements de l'impôt fédéral, au bureau de district d'Ottawa, n'est

la loi. mesures nécessaires pour éviter la répétition de telles conventions à billes de réception et a recommandé au ministre de prendre les ministères ne justifiaient pas la suspension même temporaire des services Le Commissaire a estimé que les explications fournies par le répondraient aux appels téléphoniques destinés à leur patron.

convenu qu'à titre temporaire les secrétaires, parfois unilingues, par une personne bilingue n'a pas toujours été observée. Il avait été voulant que la réception et l'acheminement des appels soient assurés à occuper temporairement d'autres locaux. Pour cette raison, la règle où des travaux de rénovation avaient obligé le personnel de la Division Le ministre a reconnu que la chose avait pu se produire au temps en français.

• Un francophone se plaint que les préposés aux standards téléphoniques de la Division des appels à Ottawa ne peuvent offrir de services

*Dossiers nos 1171, 1665, 1745—A Ottawa*

## 2. Au téléphone

Puisque le réapprovisionnement en formules dépendait du ministère des Postes, le Commissaire a porté cette question à son attention. Le ministère a adressé une directive aux directeurs généraux des régions leur recommandant de faire en sorte que les formules fournies aux bureaux de poste par le ministère du Revenu national (Impôt) ainsi que les autres formules du gouvernement soient toujours disponibles dans les deux langues officielles.

Le ministre a répondu qu'il avait approuvé le bureau de St-Isidore et de mettre trop de temps à répondre aux lettres en français. Le ministre a répondu qu'il avait approuvé le bureau de poste de formules dans les deux langues officielles. En effet, se fondant sur la demande de l'année précédente, il avait envoyé au mois de janvier 1972 dix formules T1 abrégées en anglais et douze en français avec des instructions pour le réapprovisionnement. Pour ce qui est du délai à répondre aux lettres en français adressées au bureau d'Edmonton, il n'a pu, faute de renseignements précis, déterminer ce à quoi le plaignant faisait allusion. Toutefois, le ministre a reconnu qu'en règle générale, un correspondant ne devrait pas attendre trois semaines avant de recevoir une réponse.

• Le plaignant fait grief au bureau régional d'Edmonton de ne pas

Le Commissaire a informé le plaignant que le Service des études spéciales de son bureau terminait une enquête sur les services bilingues offerts par ce ministère et comptait formuler par la suite des recommandations précises.

*Dossiers nos 741, 920—A Winnipeg*

• Un francophone se plaint de ce que les formules d'impôt en français aient été disponibles au bureau de poste n° 4 de Winnipeg plus d'un mois après les formules en anglais.

Le ministère a confirmé l'assertion du plaignant en précisant que les formules en français n'étaient alors disponibles à Winnipeg qu'au bureau de district. Il comptait toutefois être en mesure dès l'année suivante d'expédier plus tôt les formules dans les deux langues officielles.

Le Commissaire a rappelé au ministère que, pour satisfaire aux exigences de la Loi sur les langues officielles, il était essentiel que les sous-bureaux de poste possèdent les formules dans les deux langues officielles afin que le contribuable ne soit pas obligé de réclamer lui-même au bureau de district une formule dans la langue de son choix.

• Le plaignant n'a pu obtenir du bureau de district de Winnipeg la formule d'impôt T3-1971 en français.

Le ministère a répondu qu'il avait assuré à ce bureau la distribution de la formule dans les deux langues officielles. Le Commissaire a rappelé au ministère qu'il ne suffisait pas d'avoir cette formule en stock mais que les employés devaient l'offrir au contribuable dans la langue de son choix.

*Dossiers nos 919, 1069, 1070—A Edmonton*

• Le plaignant ne parvient pas à obtenir du bureau de district d'Edmonton une version française de la formule n° T2019 « Demande d'établissement d'un troupeau de base ». Il prétend de plus que les bureaux du ministère à Ottawa n'ont pu donner satisfaction à la demande qu'il avait formulée par écrit à ce sujet.

Le ministère n'est pas parvenu à s'expliquer pourquoi le plaignant n'avait pas réussi à obtenir une copie de la version française qui était pourtant disponible au bureau d'Edmonton. Quant à la demande soumise à Ottawa, le ministère a déclaré ne pouvoir vérifier les faits sans connaître le nom et l'adresse du plaignant. Celui-ci n'a pas jugé bon de révéler son identité au ministère.

Le Commissaire a fait parvenir au plaignant un exemplaire de la formule n° T2019.

Le ministère a confirmé que le plaignant et sa soeur avaient rempli en français leurs déclarations 1971, tandis que son père et son frère l'avaient fait en anglais. Ceux-ci avaient ainsi reçu des formules anglaises pour l'année 1972 et, selon le ministère, devraient se procurer des formules en français au bureau de poste local, ou bien, s'ils avaient déjà établi leurs déclarations en anglais, demander à leur bureau de district de faire amender le code d'ordinateur pour l'année suivante. Le ministère n'a pas déterminer pourquoi des brochures anglaises avaient été jointes aux formules françaises. Comme environ dix millions de formules et de brochures étaient classées et mises sous enveloppe mécaniquement, il était possible que des erreurs se produisent.

Le ministère a attiré l'attention de son personnel sur le fait que le mot « rue » n'apparaissait pas sur les formules françaises et a signalé que cette question serait prise en considération lors de la prochaine révision de l'imprimante de l'ordinateur.

Le mot « rue » faisant partie intégrante d'une adresse rédigée correctement en français, le Commissaire a recommandé qu'il figure à l'adresse portée sur les formules françaises envoyées au public l'année suivante.

Le ministère a alors expliqué que le système alphabétique de l'ordinateur n'aurait pas fonctionné si le mot « rue » avait précédé le nom de celle-ci dans l'adresse française. Le système numérique mis en place depuis lors allait permettre d'imprimer correctement l'ensemble de l'adresse en français. Toutefois, il eût été à la fois long et coûteux de modifier l'ensemble des fichiers principaux pour l'année 1973. C'est pourquoi le ministère a décidé de corriger d'abord toutes les nouvelles adresses et ensuite de modifier peu à peu l'ensemble des adresses en français.

*Dossier n° 1740—A Toronto*

Un francophone fait grief au ministère de n'avoir pu obtenir une formule d'impôt en français au bureau de district de Toronto. La personne qui lui a répondu aurait même traité sa demande assez cavalièrement.

Le ministère a déclaré regretter vivement qu'une réponse désobligeante ait été faite au plaignant. Il a informé le Commissaire que la politique de ce bureau était de toujours offrir des formules dans les deux langues officielles. Puisqu'il y avait à ce moment plus de 70 employés à la réception téléphonique, le ministère n'a pu identifier la personne responsable de l'incident. Toutefois, le directeur du bureau a porté la question à la connaissance des employés en leur rappelant les instructions émises à ce sujet.



d'émettre simultanément les formules dans les deux langues. Il a également réitéré aux employés des bureaux régionaux ses instructions en vue de faire respecter la Loi sur les langues officielles.

*Dossier n° 1682—A Memramcook*

Un francophone du Nouveau-Brunswick reçoit la version anglaise de sa déclaration d'impôt 1972. Il demande au Commissaire de presser le ministre de lui envoyer une formule en français dans les plus brefs délais. En outre, il souhaite que toutes les formules et la correspondance qu'il recevra à l'avenir soient rédigées en français.

Le ministre a fait savoir au Commissaire que le code d'ordinateur déterminant la langue de la formule à envoyer était basé sur la langue employée par le contribuable dans sa déclaration précédente; or, en 1971, le plaignant avait rédigé sa déclaration en anglais. On a modifié le code de façon que la correspondance et les formules qui lui seraient désormais adressées soient en français. Dans l'intervalle, le ministre avait fait parvenir au plaignant une nouvelle formule 1972 rédigée dans cette langue.

*Dossier n° 1758—A Ste-Foy*

Un francophone se plaint d'avoir reçu un avis de cotisation en anglais.

Le ministre a souligné qu'il déterminait la langue officielle de ses correspondants à partir de celle dans laquelle ils avaient rempli leur dernière formule d'impôt. Il semblait que le plaignant ait utilisé une formule en anglais, ce qui expliquait qu'un avis de cotisation lui ait été envoyé dans cette langue. Le ministre a apporté les correctifs nécessaires afin que toute correspondance lui soit envoyée en français.

*Dossier n° 1645—A Sudbury*

Un francophone se plaint que sa famille a reçu deux formules de déclaration d'impôt en anglais et deux formules en français. Il déclare que l'année précédente elle avait reçu quatre formules anglaises qu'elle avait remplacées par des formules françaises obtenues du bureau de poste local; c'est pourquoi elle s'attendait à recevoir l'année suivante des formules françaises. Il se plaint également que les deux brochures explicatives jointes aux formules françaises étaient rédigées en anglais. Enfin, il ne comprend pas pourquoi le mot « street » qui figurait sur l'adresse des formules anglaises n'avait pas d'équivalent sur les formules françaises où seuls apparaissaient le numéro de la maison et le nom de la rue.

Trois francophones se plaignent d'avoir reçu une formule d'impôt en anglais bien qu'ils aient rempli leur formule en français l'année précédente. L'un d'eux ajoute que plusieurs de ses amis ont reçu leurs formules en français un mois après la distribution des formules anglaises. Tout en regrettant ces incidents, le ministère a rappelé sa pratique d'envoyer aux millions de contribuables canadiens des formules d'impôt dans la langue officielle de leur choix. À cet effet, il a mis au point une programmation spéciale pour ses ordinateurs. Des erreurs sont cependant toujours possible lors du tri du courrier. Pour déterminer la langue contribuable l'ordinateur se base sur la formule française ou anglaise qu'il a remplie. Certains changements législatifs ont nécessité la modification des formules pour 1971 et les exigences de la traduction ont retardé l'impression de la version française. On a donc distribué la version anglaise sans attendre l'autre. Le ministère a indiqué son intention

*Dossiers nos 766—A Bonnyville, 1766—A Brossard, 1770—A Ottawa*

## 1. Documents d'impôt

### PLAINTES

- (13) que l'application des présentes recommandations ne porte, en aucun cas, atteinte à la sécurité d'emploi ni aux perspectives de carrière des employés du ministère.
- (12) qu'un mode de contrôle régulier soit institué pour veiller à ce que le ministère satisfasse dans son ensemble aux exigences de la Loi sur les langues officielles;
- (11) que le ministère étudie immédiatement avec le ministère des Postes les différents moyens de garantir que, dans tous les bureaux de poste desservant des secteurs composés de membres des deux groupes linguistiques officiels, les formules de déclaration d'impôt sur le revenu des particuliers mises à la disposition du public le soient dans les deux langues, ce qui suppose en permanence un stock suffisant de ces formules dans les deux langues et une présentation égale;
- (10) que le ministère trouve un moyen pour que le contribuable puisse indiquer, sur sa formule de déclaration d'impôt de 1973, la langue dans laquelle il aimerait être servi à l'avenir, ceci dans le but de garantir sa liberté de choix et de connaître, en outre, l'importance de la demande de services dans l'une et l'autre langues officielles;
- (9) que des mesures immédiates soient prises pour que toute la signalisation extérieure et intérieure, les cartes de visite et les inscriptions dans les annuaires téléphoniques apparaissent dans les deux langues;
- une qualité égale des textes dans les deux langues et d'éliminer de la correspondance toute inégalité de délai qui pourrait se produire entre les réponses faites en français et celles faites en anglais;

(2) que, conformément à son ferme propos, exprimé dans sa politique en matière de bilinguisme, le ministère mette au point et applique, d'ici le 28 septembre 1973, une campagne d'information comportant la participation de hauts fonctionnaires et celle du conseiller en bilinguisme, et visant à mettre le personnel, à tous les échelons et dans tout le pays, au courant de l'ensemble du programme du ministère concernant l'application de la Loi sur les langues officielles;

(3) que, pour éviter les erreurs, les retards et les renvois inutiles, le ministère veille à ce qu'il y ait suffisamment d'employés capables de fournir des services dans les deux langues officielles à tous les points importants de contact avec le public dans les bureaux de district, tels que les comptoirs de renseignements et les postes téléphoniques;

que, dans les bureaux où il est actuellement impossible de fournir systématiquement des services dans les deux langues officielles, le ministère envisage de prendre les mesures suivantes :

(a) signaler au public, par voie d'avis, les endroits précis du comptoir où il peut obtenir des services dans l'une ou l'autre des deux langues officielles;

(b) faire inscrire, dans les annuaires téléphoniques, un ou plusieurs numéros que le public peut composer pour joindre des employés parlant couramment les deux langues officielles;

(4) que le ministère adopte une formule bilingue de salutation au téléphone de façon à indiquer au demandeur que l'on est disposé et en mesure de lui offrir des services dans les deux langues, lorsque :

(a) le secteur desservi par un bureau regroupe un nombre important de membres de la minorité linguistique;

(b) le bureau en question dispose d'un standard téléphonique;

(5) que le ministère charge ses agents des relations extérieures dans les différents bureaux de district d'impôt, de faire savoir au public qu'il est en mesure de lui fournir des services dans les deux langues officielles;

(6) que le ministère veille à ce que tous les organes d'information d'expression française et anglaise à travers le pays reçoivent des annonces publicitaires ou documentaires (les « Renseignements — éclairés », par exemple), qui permettent aux deux groupes linguistiques d'avoir égalité d'accès à l'information;

(7) que le ministère veille à ce que toutes les publications à la disposition du public dans les bureaux de district d'impôt soient exposées de telle sorte que les titres apparaissent dans les deux langues officielles; dans le cas où les éditions française et anglaise de ces publications sont séparées, les bureaux doivent s'assurer qu'elles sont disponibles et présentées en même temps dans les deux langues officielles;

(8) que le ministère s'attache, comme par le passé, à répondre aux lettres dans la langue du correspondant tout en continuant à inciter les employés à rédiger la correspondance directement dans l'une ou l'autre langue et à en améliorer la qualité;

que le ministère s'entende avec le Bureau des traductions du Secrétariat d'État pour prendre, entre-temps, toutes mesures provisoires de traduction jugées nécessaires, afin de respecter les impératifs de la sécurité, de garantir



l'adoption du système « Zénith » pour la période des déclarations fiscales en 1973, créerait d'importants problèmes par suite de l'insuffisance quantitative et de la mauvaise répartition géographique du personnel bilingue compétent.

Toujours dans le domaine des communications avec le public, la traduction jouait un rôle important. Sur les neuf bureaux qui y avaient recours pour répondre au courrier reçu en français, un seul s'adressait systématiquement au bureau officiel d'Ottawa; six la faisaient faire par leurs propres employés, et les deux autres, par leurs agents ou le service de traduction de leur administration centrale à Ottawa. Tout en reconnaissant que le recours au personnel du bureau local permet d'éviter les retards souvent occasionnés par l'exécution des travaux à Ottawa, l'équipe de recherche a conclu que ce système présentait certains inconvénients. D'abord, un manque d'exactitude peut contrevenir aux dispositions de la Loi sur les langues officielles relatives à l'égalité de statut des deux langues; de plus, la Loi sur le Bureau des traductions délègue à ce dernier toute autorité en matière de traduction pour l'administration fédérale. C'est pourquoi la solution idéale consisterait à accroître le nombre d'employés bilingues compétents; le groupe d'étude estima toutefois que les directeurs de bureaux de district devraient faire, en attendant, tout leur possible pour obtenir que le Bureau des traductions embauche des spécialistes et les affecte là où le volume de travail justifie leur présence.

En ce qui concerne l'installation d'une signalisation bilingue, le groupe d'étude a constaté que le ministère était très en retard dans son programme. Or, en raison de l'impact visuel que la signalisation exerce dans la projection d'une « image bilingue » du gouvernement canadien, il fallait absolument y remédier au plus tôt.

En dépit des lacunes exposées ci-dessus, le Commissaire a tenu néanmoins à féliciter le ministère du grand intérêt qu'il a accordé à la réforme du bilinguisme et des importants changements internes qu'il a su réaliser ces dernières années. Dans le but de l'aider à atteindre pleinement et pour de bon ses objectifs, le Commissaire a formulé les recommandations suivantes :

(1) que le ministère laisse de côté les notions de districts bilingues en projet, de pourcentages de population et de minimums numériques, dont il se sert actuellement pour déterminer les besoins en personnel dans les divers bureaux où il doit assurer des services dans les deux langues officielles, et les remplace par une méthode qui tienne mieux compte de la demande potentielle. Cette méthode reposerait sur les notions de lieux où il existe de fait une population de la minorité linguistique, d'effectifs bilingues qualifiés nécessaires en pratique dans ces endroits pendant les heures de travail et de répartition optimale de ce personnel dans les secteurs de l'activité du ministère qui impliquent des contacts avec le public;

Il faut également souligner qu'il dispense un important service de renseignement dans chacun des bureaux de district, dont le responsable participe à des émissions radiophoniques et télévisées, afin de tenir la population au courant de la législation et des règlements fiscaux. Dans tous ces bureaux sauf un, le ministère offrait ce service en français et en anglais. Quant aux brochures explicatives, elles existaient elles aussi, pour la plupart, dans les deux langues, mais le groupe d'étude a constaté que leur diffusion aux organes d'information et dans la population laissait à désirer; ainsi, il est possible que les groupes linguistiques minoritaires de certaines régions ne les aient pas reçues dans leur langue. Il y a tout lieu de croire que si le ministère faisait un effort concerté pour faire savoir au public qu'il est en mesure de lui fournir ses services dans les deux langues, la demande ainsi suscitée se manifesterait au maximum, ce qui présenterait le triple avantage de lui permettre de mieux exploiter ses ressources bilingues, de multiplier les occasions qu'auraient ses diplômés des cours de langue de pratiquer leur seconde langue et, enfin, d'accomplir un grand pas dans la transformation de l'image d'organisme unilingue qu'il projetait encore.

Certains autres imprimés à l'intention du public, comme les diverses formules et la publication *Les rouages de l'impôt*, existaient dans les deux langues, soit en édition bilingue, soit en éditions séparées. Cette dernière présentation est certes tout à fait conforme aux dispositions de la loi, mais le groupe d'étude a remarqué que bien souvent seule la version anglaise était, ou semblait, disponible aux comptoirs, et que maints bureaux de poste n'avaient pas en réserve des feuilles d'impôt dans les deux langues officielles. Le ministère du Revenu et celui des Postes partagent la responsabilité de cet état de choses, puisque c'est au premier qu'il incombe de fournir les imprimés et au second de les mettre à la disposition du public, lequel est en tout état de cause sans doute peu enclin à accepter que l'on mette cette carence au compte de la formule à employer. A ces documents, il faut ajouter les cartes de visite, dont il a également été constaté qu'elles étaient unilingues. Leur importance n'est, de toute évidence, pas majeure, mais pour des raisons d'ordre pratique et symbolique, il conviendrait de les rendre bilingues.

La question du service téléphonique peut se subdiviser en trois rubriques : inscriptions dans l'annuaire, réception et renseignements. Dans certaines régions du pays, l'annuaire ne contenait que des inscriptions en anglais, ou alors regroupait le français et l'anglais sous la seule mention « Income Tax ». Les formules d'accueil utilisées par les téléphonistes variaient largement, mais un seul service répondait aux appels dans les deux langues. En ce qui concerne les demandes de renseignements, et en particulier celles qui étaient adressées au service des cotisations des bureaux de district, l'on prévoyait que

Le groupe d'étude a estimé que la déclaration de principes du

ministère sur le bilinguisme constituait pour le personnel un fort bon document de référence sur la prestation des services qu'il incombe au ministère de fournir au public dans les deux langues officielles. Mais le groupe a constaté qu'il fallait que le ministère complète cette déclaration par une définition de la clientèle touchée et de l'importance des services bilingues auxquels elle a droit, et qu'il précise en outre ce qu'il entend par demande régulière et suffisante. De plus, les constatations ont révélé que, dans la quasi-totalité des cas, à l'échelon du district, il y aurait eu avantage à mieux informer le personnel sur la mise en œuvre du programme de bilinguisme.

L'administration centrale n'a que peu de contacts directs avec le public, si ce n'est par l'intermédiaire du centre de traitement des données par où passent les déclarations d'impôt. Celui-ci a pour règle d'envoyer les avis de cotisation dans la langue officielle employée par l'intéressé. Pour de plus amples renseignements, les contribuables sont invités à communiquer avec les bureaux de district; c'est là, et dans les bureaux régionaux d'appels, que le ministère est le plus souvent en rapport avec la population.

Quoi que, parmi les douze bureaux visités, tous sauf un avaient une certaine aptitude à communiquer dans les deux langues, la plupart d'entre eux n'étaient pas équipés pour répondre à la demande existante, ou lente, de services dans les deux langues officielles. Certains avaient trop peu de personnel bilingue, ou alors celui-ci était mal réparti, tant au sein des divisions qu'aux différents échelons de la hiérarchie. Le groupe d'étude a appris que le ministère avait eu de grosses difficultés à recruter un personnel bilingue doté de la compétence technique indispensable, notamment pour la vérification de comptes. Comme aucune solution à ce problème de recrutement n'était en vue à court terme, les cours de langue s'avéraient absolument nécessaires.

Le ministère avait fait de gros efforts pour offrir toute une gamme de programmes d'enseignement des langues à son personnel. C'est ainsi que les cadres supérieurs avaient suivi les cours d'un organisme privé et que d'autres employés d'Ottawa étaient inscrits à ceux du Bureau des langues de la Commission de la fonction publique. En outre, le ministère appuyait un programme d'échange bicultural et il avait affecté des professeurs de langue à ses bureaux d'Edmonton et de Saskatoon. Le maintien de l'acquis posait, toutefois, un problème important et le groupe d'étude a dû conclure, à ce sujet, que le ministère devrait soigneusement chercher à exploiter le potentiel des connaissances nouvelles acquises par le personnel frais émoulu des stages.

Il convient de féliciter le ministère du soin qu'il a mis à offrir au public, dans les deux langues officielles, ses programmes d'information.



Entreprise à la demande du ministère intéressé, cette étude du secteur de l'impôt a démarré en juillet 1972. Il s'agissait de passer en revue et d'évaluer les mesures prises par le ministère en vue de faire appliquer les dispositions de la loi relatives à la langue de service. L'étude portait en premier lieu sur l'administration centrale (enviagée sous le double aspect d'un organisme autonome ayant ses propres relations avec le public et d'un organe administratif central répercutant en quelque sorte ses lignes de conduite sur tous ses services d'un bout à l'autre du pays) et en second lieu sur les services fournis aux bureaux de district et bureaux régionaux d'appels. C'est ainsi que l'équipe a abordé les domaines suivants : les orientations du département, le personnel, les cours de langue et le maintien des connaissances acquises, les programmes d'information du public, les services téléphoniques, les documents et imprimés à l'usage de la population et la signalisation.

## ETUDE SPÉCIALE

Le problème que pose une présentation appropriée, dans les bureaux de poste, des formules de déclaration d'impôt en anglais et en français n'a pas encore été résolu, mais le ministère a pris de nouvelles mesures pour veiller à ce que les contribuables reçoivent des formules imprimées dans la langue de leur choix.

Pendant la période examinée dans le présent rapport, le Commissaire a reçu 44 plaintes contre le ministère; ce dernier a réglé la plupart d'entre elles dans des délais raisonnables.

Six de ces plaintes seulement ont entraîné des recommandations; dans certains cas, le ministère a étendu les mesures correctives à tout le pays.

Certaines situations, notamment celle créée par le service téléphonique au bureau d'Ottawa, ont donné lieu à une série de plaintes. Toutefois, compte tenu du nombre très élevé d'appels que ce bureau reçoit, il était normal de s'attendre à quelques plaintes. Dans la plupart des cas, ces dernières n'étaient pas suffisamment précises pour établir avec certitude la part de responsabilité du ministère.

À plusieurs reprises, des contribuables se sont plaints de n'avoir pas reçu la formule de déclaration d'impôt dans la langue officielle de leur choix. Il faut signaler cependant que dans la majorité des cas le ministère devait être disculpé car la langue de la formule correspondait à la langue utilisée par le plaignant dans sa déclaration de l'année précédente. Dans de rares cas il s'agissait bien d'une erreur administrative mais, comme on dit, *errare humanum est*, même lorsqu'il s'agit d'un ordinateur.

Cinq des treize recommandations du Commissaire ont été mises en œuvre (recommandations 1, 2, 6, 12, 13) et les autres sont à divers stades d'application. Le ministre a accepté de faire connaître davantage son aptitude à assurer des services dans les deux langues, de diffuser à l'avenir toute sa publicité, à quelques exceptions près, en français et en anglais, de recruter un nombre suffisant de bilingues pour les postes qui comportent des contacts avec le public et de prendre les mesures nécessaires pour répondre sans tarder aux lettres dans la langue des correspondants.

Le peu de temps qui s'est écoulé depuis l'étude (achevée en mai 1973) n'a naturellement pas permis au ministre d'appliquer entièrement quelques-unes des recommandations formulées. Le ministre ne précise certes pas toujours de quelle façon il entend mettre en œuvre les recommandations mais le Commissaire, vu la bonne collaboration du ministre, espère que celui-ci donnera bientôt suite à toutes les recommandations.

Dans l'ensemble, le ministre a coopéré au règlement des plaintes et s'est efforcé de respecter les dispositions de la Loi sur les langues officielles dans tout le pays. L'expérience a démontré que les impôts peuvent être perçus en français aussi bien qu'en anglais sans que les recettes en soient pour autant diminuées.

Les efforts du ministre pour corriger les situations qui ont donné lieu à des infractions à la Loi sur les langues officielles et, en général, pour appliquer cinq des treize recommandations formulées par le bureau du Commissaire, ont été positifs et rarement parcimonieux. L'intérêt que le Commissaire porte à ce ministre augmente à un taux croissant sinon composé. Le ministre, avant même qu'il ne fasse l'objet d'une étude spéciale, avait déjà arrêté une ligne de conduite fondamentalement solide et s'était employé sérieusement à offrir un choix de programmes de formation linguistique et à rendre bilingues la plus grande partie de ses formulaires et de son matériel d'information.

## APPRECIATION

### REVENU NATIONAL — IMPÔT — « Deux femmes en or »

Un francophone se plaint que les étiquettes de l'accise sur les bouteilles d'alcool sont unilingues anglaises. A la suite de l'intervention du Commissaire, le ministre a commandé de nouvelles étiquettes bilingues.

### Dossier n° 1499—Étiquetage

A la suggestion du Commissaire, le ministre a accepté de convertir tous les timbres-dateurs.

Après avoir attentivement étudié les renseignements qui lui ont été fournis, le Commissaire a conclu que cette affaire n'était pas de son ressort car, à l'origine de la plainte, il n'y avait pas eu infraction à la Loi sur les langues officielles. Le gouvernement laissait au Conseil du trésor et au ministère concerné le soin de déterminer les exigences linguistiques des postes à pourvoir dans la fonction publique fédérale et c'était la Commission de la fonction publique qui, conformément à la Loi sur l'emploi dans la fonction publique et aux besoins des ministères, prescrivait les normes de sélection, y compris celles qui regardaient la langue, et établissait les connaissances linguistiques des candidats. La compétence du Commissaire ne pouvait être invoquée que si ces modalités entraînaient une infraction à la loi, par exemple quand des services n'étaient pas fournis dans les deux langues officielles.

Cependant, après avoir reçu l'autorisation écrite, le Commissaire a réitéré la question au ministre, au Conseil du trésor et à la Commission de la fonction publique. Celle-ci a réévalué les connaissances de l'employé dans la langue seconde et en a conclu qu'il n'était pas qualifié pour le poste à pourvoir. Le ministre a réexaminé le cas et s'est déclaré convaincu qu'il n'y avait eu ni discrimination ni injustice. Les personnes ayant déposé la plainte au nom de l'employé ont été informées des résultats du réexamen de son cas.

#### *Dossier n° 986—Système de dation et cachets postaux*

Un Montréalais se plaint que le système de dation du ministère ne correspond pas à l'ordre habituel dans lequel on libelle une date en français. Le plaignant déplore l'emploi de caractères intégrés dans les inscriptions en anglais et en français figurant sur les cachets postaux.

Le ministre a répondu que la formule abrégée, telle « Fév. 2/72 » était conforme aux instructions du « Manuel de bureau » publié en 1961 avec l'autorisation du Secrétaire d'Etat. Tout en prenant bonne note de la version des faits présentés par le ministre, le Commissaire a néanmoins recommandé d'utiliser la séquence (jour / mois / année) et a suggéré d'indiquer le mois en chiffre romain. Quant aux cachets postaux, le Commissaire a étudié, en collaboration avec le ministre, la possibilité d'accorder une priorité au français sur les cachets postaux au Québec.

Le ministre a reconnu que le système international d'identification de la date (jour / mois / année) avait l'avantage d'éliminer le problème de la préséance de la langue pour ce qui est du nom du mois, mais il était d'avis qu'il serait préférable de l'indiquer en lettres car une expérience tentée dans ses bureaux de Montréal a permis de constater que l'usage du chiffre romain portait à confusion.



Un haut fonctionnaire responsable d'une unité de langue française du ministère a Québec envoie au Commissaire copie d'une lettre qu'il a écrite au chef de la Division du bilinguisme\* du Conseil du trésor; plus d'un mois après, il n'a toujours pas reçu de réponse. Dans cette lettre, il se plaint que les deux inspecteurs dépêchés par le ministère dans son unité étaient unilingues anglais. À son avis, des inspecteurs envoyés à Québec dans une unité officiellement désignée francophone devraient pouvoir parler français.

La division du bilinguisme du Conseil du trésor a envoyé au Commissaire un double de sa réponse au plaignant. Le ministère reconnaît son erreur et s'engageait à veiller à ce que par la suite les inspections des unités de langue française soient confiées à des personnes ayant une bonne maîtrise de la langue française. Il s'agissait apparemment d'un incident isolé; la division n'en a pas moins prié le plaignant de lui faire savoir si au cours des cinq à six mois suivants son unité avait reçu du bureau central d'Ottawa des communications unilingues anglaises, qu'elles fussent écrites ou orales.

L'instruction a révélé que l'unité ne disposait pas de certains instruments de travail de base tels que des machines à écrire à clavier français et des manuels et guides ministériels en français, ce qui, de toute évidence, constituait un obstacle bien plus grave à la promotion du français comme langue de travail que la simple visite de deux inspecteurs anglophones. On indiqua au plaignant comment obtenir du ministère les instruments de travail en question.

Le Commissaire s'est dit très satisfait de l'attitude ferme affichée par la division du bilinguisme et du fait qu'elle ait insisté pour que le ministère remplisse ses devoirs envers ses unités de langue française. Il a également remarqué que l'étude d'un problème particulier avait amené la découverte d'un autre problème peut-être plus important et que des mesures avaient été prises afin de les résoudre tous.

### 3. Divers

Dossiers n°s 1242, 1243—Concours

Un député et un représentant syndical écrivent au Commissaire au sujet d'un employé du ministère que l'on a empêché de se présenter à un concours de promotion à un poste bilingue, parce qu'il n'avait pas réussi l'examen de français que la Commission de la fonction publique posait comme condition préalable.

\*Actuellement Direction des langues officielles

district de Montréal-Ouest depuis que celui-ci était devenu, en novembre 1971, unité de langue française. Alors qu'au début de 1971, environ 70 p. 100 des rapports de vérification étaient rédigés en anglais, l'inverse se produisait au printemps 1973 avec à peu près 70 p. 100 des rapports rédigés en français. Trente-trois des 39 employés de ce bureau étant des francophones, il ne faisait aucun doute que la prédominance du français en tant que langue de travail reflétait d'une façon plus pragmatique les exigences de la Loi sur les langues officielles dans ce domaine.

Toutefois, à l'été 1972, certains problèmes d'ordre linguistique se posaient encore à ce bureau. L'enquête a révélé que les employés ne pouvaient, en règle générale, communiquer en français avec les autres unités du ministère situées à l'extérieur du Québec. Le Commissaire a par conséquent recommandé que le ministère autorise ses employés à communiquer avec n'importe quelle unité du ministère, où qu'elle soit située au Canada, dans la langue officielle de leur choix.

De plus, certaines formules utilisées par les employés de ce bureau étaient encore unilingues anglaises. Le Commissaire a donc recommandé que ces formules soient aussitôt que possible disponibles dans les deux langues officielles.

Avant 1971, les membres de ce bureau travaillaient presque exclusivement en anglais et étaient donc dans l'ensemble plus familiers avec les termes techniques anglais que français. Le Commissaire a recommandé que l'on distribue à chaque employé un dictionnaire français et que des dictionnaires techniques en français et des lexiques ou glossaires techniques anglais-français, français-anglais, soient mis à la disposition de tous les employés.

L'instruction a révélé de plus que parmi les six employés anglophones du bureau certains étaient unilingues alors que d'autres avaient une connaissance limitée du français. Le Commissaire a recommandé qu'on permette aux employés anglophones qui le désirent de suivre des cours de français. Il a de plus recommandé qu'à l'avenir les anglophones n'ayant pas une connaissance suffisante du français ne soient pas affectés aux unités de langue française.

Le ministère a accepté le point de vue exprimé par le Commissaire sur la question des communications avec les autres unités, mais lui a fait savoir que certaines considérations d'ordre pratique l'empêchaient d'appliquer pour le moment cette recommandation à l'échelle nationale. Le Commissaire a poursuivi avec le ministère les discussions entamées. Quant aux autres recommandations, le ministère en a pris bonne note : certaines ont déjà été mises en vigueur. Par exemple, toutes les formules utilisées par les employés étaient déjà disponibles depuis quelque temps dans les deux langues officielles tandis que la question des dictionnaires et des glossaires était réglée.

De l'examen des documents que le Commissaire avait déjà en sa possession et du rapport de cette enquête, il ressortait entre autres qu'il y avait eu une nette amélioration en ce qui concerne l'usage du français comme langue de travail au bureau des taxes d'accise du

équipe d'aller faire enquête sur place.

Le plaignant étant revenu à la charge à la fin de l'exercice financier 1971-1972, le Commissaire a chargé un des membres de son

désireux de communiquer en français avec ses collègues hors du Québec.

Le plaignant d'expression française travaillant à Montréal et

(pages 256 et 257) la nature de cette plainte. Bref, il s'agit d'un fonc-

Le Commissaire a exposé dans son deuxième rapport annuel

*Dossier n° 45—A Montréal*

## 2. Langue de travail

ministère a donné suite à cette recommandation.

et a demandé qu'on l'informe de sa date d'entrée en service actif. Le

ministère de nommer immédiatement un cinquième douanier bilingue

était un aéroport international, le Commissaire a recommandé au

A la suite de l'instruction, et du fait que l'aéroport de Vancouver

en français.

pour que chaque équipe de travail soit en mesure de fournir des services

que le ministère envisageait de nommer un cinquième employé bilingue

service lors du passage du plaignant à l'aéroport. Elle a révélé en outre

L'instruction a confirmé qu'aucun employé bilingue n'était en

formalités douanières.

rement quelle était la situation quand le plaignant avait subi les

gues à l'aéroport deux jours après l'incident mais on n'a pu savoir clai-

était alors en service. Il a affirmé avoir nommé quatre douaniers bilin-

Le ministère n'a cependant pas précisé si un douanier bilingue

suivre.

à tous ses employés de l'aéroport leurs obligations et les directives à

bilingue pour servir le plaignant. Depuis lors, le ministère a rappelé

S'il n'était pas lui-même bilingue, il aurait dû appeler un collègue

nier aurait dû voir là une demande implicite de service dans cette langue.

rempli en français sa formule de déclaration et a reconnu que le doua-

Le ministère a fait savoir au Commissaire que le plaignant avait

en français n'a pas fait appel à un collègue bilingue.

Un correspondant se plaint qu'à la douane de l'aéroport interna-

tionnal de Vancouver, un employé unilingue qui ne pouvait pas le servir

*Dossier n° 1343—A Vancouver*



ou moins de temps, le Commissaire a assuré le plaignant qu'il entendait suivre de près les initiatives du ministère pour se conformer aux exigences de la loi.

*Dossier n° 1297—A Sudbury*

Un plaignant de Sudbury rapporte que l'estampille de dédouanement apposée sur un colis endommagé est unilingue anglaise. Il téléphone au bureau de douanes pour obtenir des explications et constate que la préposée à la réception, quoique bilingue, identifie le ministère en anglais seulement.

Le ministère a répondu que toutes les estampilles unilingues seraient remplacées par des estampilles bilingues et qu'il avait donné des instructions pour que le bureau de Sudbury soit toujours identifié au téléphone dans les deux langues officielles.

*Dossier n° 1337—A North Bay*

Lors d'une visite aux édifices fédéraux de North Bay, un francophone constate que les écriteaux apposés sur les portes du bureau de l'accise sont rédigés uniquement en anglais.

Le ministère a demandé au ministère des Travaux publics de rem-  
placer l'écriteau unilingue du bureau de district par un panneau bilingue et de retirer l'écriteau placé sur la porte de l'entrepôt, celui-ci n'étant pas ouvert au public.

*Dossier n° 1074—A Edmonton*

Une francophone se présente au comptoir des douanes à Edmonton pour réclamer un colis contenant des livres venant de France. Au cours de la conversation, la préposée lui aurait dit que le français est une langue étrangère au Canada.

Le ministère a fait savoir au Commissaire que les pièces justificatives présentées pour retirer le colis étaient rédigées en langues française, flamande et anglaise. Il semble qu'il y ait eu malentendu quant aux remarques de la préposée voulant que le français soit une « langue étrangère ». Elle n'avait pas voulu porter atteinte au statut du français comme langue officielle, mais elle posait à sa façon, peut-être maladroitement, une question afin d'établir si les livres étaient frappés ou non de droits. En effet, le règlement précise que les livres « en toute langue autre que l'anglais » sont admis en franchise. Afin d'éviter la répétition de tels malentendus, le ministère a donné instruc-  
tions à ses préposés de citer le texte même du tarif.

Par la suite, le plaignant et le ministère ont échangé des lettres, parmi lesquelles figuraient des déclarations sous serment, des lettres de l'agence de voyages et du compagnon de voyage du plaignant visant à convaincre le ministère qu'il n'avait jamais eu l'intention de frauder le gouvernement ou de passer des marchandises en contrebande.

Le rôle du Commissaire se limitait à établir si le plaignant avait été servi en français à l'aéroport et si, dans ce cas, il aurait mieux compris les règlements lors de sa déclaration aux douanes.

Le ministère a affirmé qu'il y avait sur place deux ou trois douaniers bilingues, que le plaignant n'avait pas demandé à être servi par un douanier bilingue et que sa compréhension de l'anglais et son élocution dans cette langue laissaient croire qu'il n'y avait eu aucune difficulté d'ordre linguistique. Le ministère a ajouté que les raisons invoquées par le plaignant pour ne pas déclarer son appareil-photo à l'aéroport résultaient uniquement d'un malentendu entre le plaignant et son agence de voyages.

La formule de déclaration en douane était imprimée en rouge, relative aux achats faits à l'étranger et la partie en uniforme du plaignant a déclaré avoir demandé à une personne en uniforme qui se trouvait près du carrousel à bagages s'il y avait quelqu'un parlant français, mais il n'avait pas reçu de réponse. Selon le ministère, il s'agissait vraisemblablement d'un employé d'une compagnie aérienne ou d'une organisation quelconque mais certainement pas d'un douanier.

Le ministère a souligné que le plaignant n'avait pas fait usage de son droit d'appel de la manière prescrite.

Le Commissaire a conclu que le plaignant avait omis de déclarer son appareil-photo pour des raisons autres que linguistiques. Par conséquent, il n'a pas poussé plus loin son enquête et en a informé le plaignant.

#### *Dossier n° 1121—A Niagara Falls*

Un francophone déclare qu'on ne lui a pas offert de services dans sa langue au bureau de douanes de Niagara Falls et ajoute que la plupart des affiches et panneaux étaient en anglais seulement.

Le Commissaire a instruit cette plainte dans le cadre d'une enquête que menait alors son Service des études spéciales sur les services bilingues offerts au public par le ministère. À la suite de cette étude, le Commissaire a formulé quarante-huit recommandations qui avaient pour but d'assurer que des services soient offerts conformément aux exigences de la Loi sur les langues officielles. Nombre de ses recommandations touchaient des sujets tels que le recrutement et l'affectation du personnel bilingue et l'affichage dans les deux langues officielles. Quoique la mise en vigueur de certaines recommandations exigeait plus

Le ministre a répondu qu'au moment de l'incident il n'y avait à Lacolle que des exemplaires anglais de la formule. Les exemplaires bilingues étaient disponibles mais n'avaient pas encore été expédiés à ce poste. Depuis le 6 septembre 1972, seule la version bilingue est remise aux voyageurs.

*Dossier n° 952—A Montréal*

Un plaignant envoie au Commissaire un bordereau bilingue émanant du ministère portant l'inscription « NO INF ». Le ministère a émis des directives visant à corriger la situation.

*Dossier n° 996—A Ottawa*

Un plaignant déclare qu'il n'a pu obtenir de services en français à l'époque de Noël 1971 au bureau de douanes situé dans l'édifice des Postes, Promenade Alta Vista.

A cause de l'imprécision de la plainte, le ministère n'a pu en déterminer la cause. Lors de l'incident, le service au public était assuré par huit employés dont quatre unilingues anglais et quatre bilingues.

Le Commissaire a rappelé au ministère que le fait qu'un client s'adresse en français au personnel constitue en soi une demande implicite de services en français à laquelle on doit donner suite sans délai.

*Dossier n° 655—A Toronto*

Un correspondant de Québec proteste auprès du Secrétaire d'Etat contre la saisie, par les douaniers de l'aéroport international de Toronto, d'un appareil-photo acheté hors-taxe dans un aéroport étranger et qu'il n'a pas déclaré. Le plaignant affirme ne pas avoir été servi en français et, comme il comprend mal l'anglais, il s'est ensuivi une situation qui aurait pu être évitée si les explications lui avaient été données en français. Le Secrétaire d'Etat a transmis sa lettre au Commissaire.

Le plaignant a fait savoir qu'avant son départ, son agence de voyages l'avait informé (à tort) qu'il n'avait pas à déclarer les articles achetés hors-taxe dans un aéroport étranger, aussi n'avait-il demandé qu'une exemption de 25 dollars au lieu de celle de 100 dollars à laquelle chacun a droit chaque année. Se croyant totalement dans son droit, il a refusé de payer les 112 dollars que lui réclamait le service des douanes, et a accepté un reçu en échange de l'appareil confisqué, car son avion pour Montréal s'apprêtait à décoller.

Le plaignant a écrit au ministère du Revenu national (Douanes et Accise) pour qu'on lui rende son appareil-photo, selon lui injustement saisi. Il demandait quelles preuves apporter pour se justifier.



nir de services en français des douaniers à l'aéroport international de Gander. Le ministère a reconnu avoir été dans l'impossibilité de fournir des services en français à cette occasion. Un douanier de Gander, cependant, apprenait le français et des arrangements seraient conclus avec Air Canada afin d'obtenir un interprète lorsqu'une demande de service en français serait prévue.

*Dossier n° 1044—A Fredrickson*

Un francophone souligne que la plaque identifiant l'édifice fédéral des Douanes et Accise à Fredrickton n'est qu'en anglais. Le Commissaire a informé le plaignant qu'à la suite d'une intervention du ministère auprès des Travaux publics, une nouvelle plaque bilingue avait été apposée.

*Dossier n° 1801—A Moncton*

Une dame se plaint de ce que le Service des renseignements du bureau de Moncton répond aux appels téléphoniques en anglais seulement et qu'on traite avec une certaine arrogance la clientèle franco-phonie.

Le Commissaire a fait savoir à la plaignante que le Service des études spéciales de son bureau avait réalisé, au mois de septembre 1972, une enquête sur les services bilingues offerts par le ministère à son bureau de Moncton. Le Commissaire a formulé neuf recommandations dont trois touchaient les services de réception téléphoniques. À la fin de février 1973, le ministère informait le Commissaire qu'il avait pu donner suite à toutes ses recommandations et l'assurait que des services dans les deux langues officielles étaient désormais disponibles.

*Dossier n° 1209—A Clair*

Un francophone signale que la partie de l'édifice des douanes canadiennes faisant face à la rue principale de la municipalité de Clair, au Nouveau-Brunswick, porte l'inscription unilingue « Canada Customs ». Par contre l'écriture figurant sur la partie de l'édifice face aux États-Unis est bilingue. Le ministère a informé le Commissaire que les Travaux publics avaient remédié à la situation.

*Dossier n° 1239—A Lacolle*

Un francophone se plaint que le poste de douanes de Lacolle a remis aux passagers d'un autobus la formule E 67 5/69 Secondary Referral rédigée en anglais seulement.

Le plaignant remarque que les immigrants français venant travailler à l'usine de la Société Michelin en Nouvelle-Ecosse ne peuvent obtenir

Dossier n° 939—A Gander

# I. Bureaux de douanes

## PLAINTES

- (1) que tous les panneaux intérieurs et extérieurs des bureaux des douanes et des taxes d'accise de Moncton, qu'ils soient rédigés sur place ou à Ottawa, soient pleinement bilingues d'ici le 15 novembre 1972;
- (2) que dorénavant, aux bureaux des douanes et des taxes d'accise de Moncton, les personnes qui sont appelées, de par leurs fonctions, à répondre aux appels téléphoniques émanant du public et toutes autres personnes ayant l'occasion de répondre au téléphone, déclinent le nom des bureaux dans les deux langues officielles du Canada;
- (3) qu'affin de pouvoir mettre en pratique la recommandation ci-dessus, les employés unilingues francophones ou anglophones des bureaux des douanes et des taxes d'accise de Moncton apprennent à indiquer le nom de leurs bureaux respectifs en français et en anglais;
- (4) que les employés unilingues francophones ou anglophones des bureaux des douanes et des taxes d'accise de Moncton apprennent une ou deux expressions dans la langue officielle qui n'est pas la leur pour pouvoir transmettre les appels téléphoniques à un employé parlant la langue voulue;
- (5) que le ministère du Revenu national, douanes et accise, prenne toutes dispositions utiles pour fournir au bureau des douanes de Moncton, d'ici le 31 décembre 1972, des exemplaires du *Guide de sécurité nautique* dont l'identification figure à la fois en français et en anglais sur chacune des versions, la préséance étant donnée à l'anglais dans la version anglaise et au français dans la version française;
- (6) que dorénavant, les bureaux des douanes et des taxes d'accise de Moncton disposent en permanence, dans les deux langues officielles, d'un stock suffisant des formulaires destinés au public qui sont présentés en documents distincts pour chaque langue;
- (7) que dorénavant, au bureau des douanes de Moncton, on utilise les nouvelles versions bilingues des formulaires A8A, AIO, AGI et CIO à la place des anciennes versions unilingues qui y sont actuellement en stock;
- (8) que le ministère prenne toutes mesures utiles pour que des services bilingues soient assurés en tout temps à l'aéroport de Moncton par le bureau des douanes de Moncton;
- (9) que dans les bureaux des douanes et des taxes d'accise de Moncton, les services offerts au public soient fournis automatiquement dans les deux langues officielles, au lieu de l'être seulement sur demande expresse.

Loi sur les langues officielles. Le Commissaire a formulé les recommandations suivantes :

Cette étude visait à examiner, de concert avec la direction locale, l'étendue et la qualité des services bilingues offerts par le ministère au public de Moncton, ainsi qu'à formuler les recommandations appropriées.

Le bureau des douanes traite avec les voyageurs internationaux, les sociétés commerciales, les agents en douanes, les représentants de transporteurs et les pêcheurs, tandis que le bureau de l'accise a, lui, essentiellement affaire aux grossistes, aux détaillants, aux fabricants et aux propriétaires de petites entreprises, que ceux-ci soient ou non détenteurs de licences.

La signalisation du bureau des douanes était bilingue, sauf un panneau, rédigé uniquement en anglais au bureau même. À l'aéroport de Moncton, sur deux écrans des douanes, l'un était unilingue anglais. Au bureau de l'accise, la signalisation était également bilingue à l'exception d'un écran unilingue anglais. Le bureau des douanes mettait 55 formulaires à la disposition de son public. Trente-huit d'entre eux étaient bilingues et 17 n'existaient dans les stocks locaux qu'en anglais. On pouvait néanmoins obtenir au ministère des exemplaires français de ces derniers. De la même façon, quand le bureau de l'accise manquait, dans l'une ou l'autre des langues officielles, d'exemplaires de sept imprimés, le public pouvait s'en procurer à l'administration centrale.

Les deux bureaux offraient leurs publications dans les deux langues. Leurs inscriptions dans l'annuaire téléphonique étaient bilingues, mais ils se présentaient uniquement en anglais au téléphone. Toutefois, ils pouvaient tous deux répondre à des appels en français et en anglais.

Pour ce qui concerne le personnel, le bureau des douanes disposait de quatorze employés à plein temps pour servir le public, dont cinq, selon lui, étaient bilingues. Sur les sept employés du bureau de l'accise ayant affaire au public, cinq étaient bilingues. Au cours des trois dernières années, un seul membre du bureau des douanes s'était inscrit à des cours de langue, et aucun du bureau de l'accise; un employé de ce bureau devait, toutefois, suivre un cours dès l'automne. Lors de l'enquête, le bureau des douanes s'efforçait de mettre au point un programme de maintien de l'acquis et de mutation du personnel pour l'étude de la seconde langue.

En résumé, les deux bureaux ont fait des efforts louables pour fournir au public des services bilingues, mais ces services n'étaient pas encore offerts spontanément. Hormis quelques cas mineurs, les deux bureaux se conformaient donc en règle générale aux dispositions de la



(38) que la Division des opérations des taxes d'accise établisse un plan à l'échelle nationale en vue de déterminer et d'atteindre l'effectif biligue nécessaire, et que ce plan comporte l'utilisation, selon les besoins, de moyens tels que le recrutement, la répartition de l'effectif, les mutations, la formation linguistique et les stimulants, afin d'assurer dans les plus brefs délais les services bilingues demandés;

(39) que la Division des opérations des taxes d'accise adopte le principe d'offrir automatiquement des cours de formation linguistique véritablement fonctionnelle aux nouveaux employés, et que les fonctionnaires de toutes les catégories aient également la possibilité de suivre ces cours;

(40) que la Division des opérations des taxes d'accise encourage activement ces personnes à suivre des cours de formation linguistique;

(41) que la Division des opérations des taxes d'accise étudie et mette en œuvre différents procédés et méthodes convenant à ses besoins pour accroître et renforcer l'apprentissage de la langue seconde;

(42) que la Division des opérations des taxes d'accise étudie les possibilités de lancer et de poursuivre un programme d'échanges ou de mutations entre employés francophones et employés anglophones, afin de leur permettre de retenir ce qu'ils ont appris dans la langue seconde;

(43) que la Division des droits d'accise détermine, en fonction de la mise en application des recommandations 38 et 39, l'effectif biligue nécessaire dans chaque région pour servir les détenteurs de licence dans la langue de leur choix;

(44) que, au cas où les besoins de personnel biligue excéderaient les ressources actuelles, la Division des droits d'accise prenne, là où il y a lieu, les mesures indiquées dans les recommandations 39 à 42 faites à l'intention de la Division des opérations des taxes d'accise;

*Direction des programmes tarifaires et de l'appréciation*

(45) que la Direction des programmes tarifaires et de l'appréciation détermine pour les sections des enquêtes de Toronto, de Winnipeg et de Vancouver, ainsi que pour celle de Halifax, lorsqu'elle sera constituée, l'effectif biligue et la compétence en langue seconde nécessaires aux postes de relations avec le public pour assurer des services adéquats dans les deux langues officielles. Le personnel biligue requis devrait être obtenu soit par le recrutement de personnes bilingues, soit par l'établissement de cours de langue pour le personnel unilingue en rapport avec le public, soit encore par une combinaison des deux techniques;

*Conclusion*

(46) que la mise en œuvre des recommandations du présent rapport ne nuise ni à la sécurité d'emploi, ni aux possibilités d'avancement du personnel du ministère;

(47) que dans ses contacts avec le public, le ministère offre ses services automatiquement dans la langue officielle de la minorité au lieu de se contenter d'atteindre la demande ou de réagir à des plaintes;

(48) que le ministère, en mettant en œuvre les recommandations du présent rapport maintienne une étroite collaboration avec le Syndicat Douanes et Accise et les autres associations qui représentent le personnel.

(29) (a) que la Direction des opérations douanières fixe les exigences linguistiques auxquelles doivent répondre les employés occasionnels en fonction du programme global de la Direction des opérations douanières en matière de services bilingues;

(b) que chaque région fixe les exigences linguistiques auxquelles doivent répondre les employés occasionnels en fonction du programme global de la Direction des opérations douanières en matière de services bilingues;

(c) que dans toutes les régions, des concours soient ouverts en vue de recruter des employés occasionnels, conformément aux exigences fixées dans les recommandations 24 et 25;

(30) que l'usage d'organiser des concours pour recruter des candidats bilingues s'étende à toutes les régions de la Direction des opérations douanières en fonction des besoins régionaux pour assurer les services dans les deux langues officielles;

(31) que le ministère, lorsqu'il annonce des postes vacants dans les journaux et qu'il n'y a pas de quotidiens disponibles dans la langue de la minorité linguistique, ait recours aux hebdomadaires publiés dans cette langue;

(32) que la Direction des opérations douanières continue à pourvoir aux postes d'appoint temporaires qui exigent des titulaires bilingues, et qu'elle augmente le nombre où cela est nécessaire, jusqu'à ce qu'un personnel régulier puisse assurer le service voulu dans les deux langues officielles;

(33) que la Direction des opérations douanières encourage activement les nouveaux agents des douanes et les plus intéressés parmi tous les employés admissibles quant à leur âge, à profiter davantage des cours de langues;

(34) que les moyens et ressources pour la formation linguistique véritablement fonctionnelle soient affectés aux différentes régions conformément à un plan national qui viserait à assurer les services au public dans les deux langues officielles partout au Canada;

(35) que la Direction des opérations douanières établisse un programme de mutations temporaires et volontaires afin de permettre aux employés de toutes les régions de vivre et de travailler pendant un certain temps dans une région où l'on parle la langue seconde qu'ils ont apprise;

#### *Direction de l'accise*

(36) que la Division des opérations des taxes d'accise et la Division des droits d'accise, afin que les dispositions de la Loi sur les langues officielles soient respectées, élaborent et mettent en vigueur immédiatement les mesures appropriées pour informer, immédiatement et à des intervalles convenables à l'avance, les détenteurs de licence et ceux qui veulent en obtenir une, que les services sont disponibles dans les deux langues officielles et pour inviter les détenteurs de licence à indiquer la ou les langues dans lesquelles eux-mêmes et leurs employés désirent recevoir les services de la Direction de l'accise;

(37) que la Division des opérations des taxes d'accise détermine dans les plus brefs délais, en fonction de l'application de la recommandation 36, l'effectif bilingue nécessaire dans chaque région pour servir les détenteurs de licence dans la langue de leur choix;

(18) que le ministère adopte le principe d'assurer un service téléphonique bilingue dans tous les bureaux qui assurent leurs services aux deux communautés, anglophone et francophone;

(19) que le ministère demande l'aide de la Commission de la fonction publique pour fournir des cours de langues aux réceptionnistes qui en ont besoin;

(20) que les cartes de visite soient régies par des normes qualitatives et linguistiques uniformes et qu'elles soient, ainsi que tous les tampons (pour dater, annuler, etc.), bilingues dans tous les cas où ce n'est pas déjà chose faite;

*Direction des opérations douanières*

(22) que la Direction des opérations douanières détermine le nombre d'agents en douane qui désirent recevoir des services en anglais et en français et mette à leur disposition le personnel nécessaire pour les servir dans la langue demandée lorsque les agents font affaire avec le ministère;

(23) que des écritureaux soient placés dans tous les bureaux de douanes qui ont du personnel bilingue afin d'informer le public que les services sont assurés et en anglais et en français;

(24) que la Direction des opérations douanières accepte comme une priorité la nécessité d'offrir des services en français et en anglais aux voyageurs dans les aéroports internationaux et dans les bureaux frontaliers les plus importants du Canada ainsi qu'aux postes d'expédition de navires, dans les aéroports locaux et dans les bureaux desservant des localités dont la population est composée d'anglophones et de francophones;

(25) que la Direction mette sur pied, d'ici au 31 mars 1973, un programme national circonstancié visant à offrir, dans les bureaux visés par la recommandation 24, des services bilingues, et indiquant la nature et l'envergure des services exigés, les méthodes de dotation en personnel et les délais nécessaires pour fournir les services voulus dans ces bureaux;

(26) qu'il soit demandé aux régions de collaborer avec le siège en fournissant les données requises pour permettre au système d'information du ministère sur la compétence linguistique du personnel d'entrer en service le plus tôt possible;

(27) que le ministère, de concert avec la ou les divisions intéressées de la Commission de la fonction publique, mette au point un système d'évaluation de la compétence linguistique qui soit fondé sur les connaissances requises pour exercer les fonctions de douanier;

(28) que le ministère, dans le choix des employés qui vont suivre des cours de langue, accorde la priorité aux employés reconnus bilingues par leurs supérieurs, mais dont les résultats à l'examen montrent qu'ils ne répondent pas aux normes établies pour leur catégorie d'emploi et pour les catégories auxquelles ils peuvent raisonnablement s'attendre à être promus;



(8) que tous les bureaux régionaux reçoivent un avis leur rappelant que, lorsqu'une formule est exposée aux yeux du public, les deux versions doivent être placées en évidence;

(9) que le ministère essaie d'obtenir des administrations publiques non fédérales qu'elles offrent leur documentation dans les deux langues officielles et insiste, dans le cas des ministères et organismes fédéraux, pour que la documentation encore unilingue de ces derniers soit désormais fournie dans les deux langues officielles;

(10) que le ministère appose sur la documentation unilingue d'origine non fédérale une étiquette dans les deux langues officielles la signalant comme telle, et l'expose à part;

(11) que le ministère évite de distribuer aux ports d'entrée du Canada de la documentation unilingue provenant d'institutions fédérales, à moins que, comme prévu aux articles 4 et 5, paragraphes 2 ou 4, de la Loi sur les langues officielles, un retard dû à la traduction n'entraîne une injustice ou un inconvénient grave à une personne ou à un groupe de personnes ou que ce retard ne soit préjudiciable à l'intérêt public. Dans ces cas exceptionnels, les traductions devraient être faites et mises à la disposition du public dès que possible;

(12) que des mesures soient prises pour que les écritureaux unilingues de la Division des opérations de taxes d'accise qui ne relèvent pas du ministère des Travaux publics soient changés le plus tôt possible de façon que tous ces écritureaux soient bilingues d'ici au 28 février 1973;

(13) que la Division des droits d'accise demande aux détenteurs de licence de mettre en place, dans tous les endroits, au Québec ou ailleurs au pays, où leur personnel comprend des anglophones et des francophones, des écriteaux d'identification bilingues fournis par le ministère;

(14) que des mesures soient prises pour que les panneaux de la Direction des opérations douanières qui ne relèvent pas du ministère des Travaux publics soient changés le plus tôt possible de façon qu'ils soient tous bilingues d'ici au 28 février 1973;

(15) que le ministère poursuive les négociations concernant les panneaux bilingues avec les administrations responsables des ponts, et informe, d'ici au 28 février 1973, le Commissaire aux langues officielles des résultats de ces négociations;

(16) que le ministère communique immédiatement avec les autorités compétentes du ministère des Travaux publics pour que le programme de remplacement des panneaux au ressort du ministère des Travaux publics, destiné à la Division des taxes d'accise et à la Direction des opérations douanières soit, dans toutes les régions du pays, réalisé d'ici au 28 février 1973;

(17) que le ministère entre en contact avec l'Agence des Télécommunications du ministère des Communications afin d'obtenir son aide dans les négociations avec les compagnies de téléphone des différentes régions où il est difficile d'inscrire dans les deux langues les services du ministère dans les annuaires de téléphone;

(7) que le conseiller en bilinguisme du ministère relève du coordonnateur des programmes de bilinguisme afin d'assurer la coordination voulue de leurs attributions et programmes respectifs;

(6) que ce fonctionnaire soit chargé d'appliquer les recommandations de ce rapport, y compris la recommandation 4;

grammes du ministère en matière de bilinguisme;

(5) que le ministère crée le poste de coordonnateur des programmes de bilinguisme pour surveiller l'application des lignes de conduite et des pro-

ministère et du gouvernement;

législateur, ainsi qu'avec la ligne de conduite en matière de bilinguisme du personnel avec les buts de la Loi sur les langues officielles et l'intention du innovateur d'information afin de familiariser la direction du ministère et le (4) que le ministère élabore et entreprenne activement un vaste programme

### *Programme d'information sur le bilinguisme*

(Le ministère devrait accepter, en conséquence, d'avoir comme objectif permanent l'établissement de tels services. Toutes les mesures actuelles et futures, prises pour fournir des services bilingues à ces deux catégories de public, doivent être considérées et évaluées comme des étapes dans la réalisation de cet objectif.)

(b) à la population locale lorsque coexistent les deux groupes linguistiques officiels;

(a) aux voyageurs, dans tout le pays, et

vices à assurer dans les deux langues officielles :

(3) que le ministère, en reconnaissant le caractère spécial et étendu de ses rapports avec le public, accepte l'existence d'une demande régulière de ser-

rapport pour élaborer un programme qui lui permette de servir son public dans les deux langues officielles;

(2) que le ministère s'appuie sur les recommandations faites dans le présent

législateur;

(1) que le ministère publie de nouvelles déclarations concernant sa ligne de conduite et ses objectifs en matière de bilinguisme, de façon à traduire plus précisément l'esprit de la Loi sur les langues officielles et l'intention du

### *Déclaration de principe*

formulé les 48 recommandations suivantes :

l'observation de la Loi sur les langues officielles, le Commissaire a monter les obstacles que soulèvent la prestation de services bilingues et

En vue d'aider le ministère à résoudre les problèmes et à sur-

ses difficultés.

L'équipe a conclu que c'était par le recrutement, et non les cours de langue, que la Direction pourrait sans doute le mieux venir à bout de direction étudiait la possibilité d'embaucher du personnel bilingue quelle formerait ensuite au travail de ses unités d'enquête sur le terrain.

aisé d'embaucher pour ce secteur du personnel bilingue déjà formé, mais l'équipe a estimé que la Direction avait toutefois quelque peu négligé la possibilité qui s'offrait à elle d'atteindre ses objectifs de bilinguisme en recrutant et en formant du personnel extérieur à la section en cause. Ainsi, pendant l'année financière 1971-1972, sur environ 1 100 employés travaillant dans les régions, une douzaine seulement ont été inscrits ou désignés pour suivre des cours de langue, lesquels ont été inscrits ou désignés pour suivre des cours de langue, lesquels ont traité pourtant à la Direction, semble-t-il, un bon moyen d'accroître sa capacité générale de service bilingue. Deux ou trois régions conviennent qu'il serait souhaitable de muter des employés à des endroits où ils auraient l'occasion d'utiliser leur seconde langue dans le travail et les relations sociales.

Quant à la Section des droits d'accise, en dehors de l'administration centrale d'Ottawa et de la région du Québec, elle disposait d'un personnel bilingue squelettique. Il n'y avait pas un seul agent bilingue dans les régions de l'Atlantique et des Prairies et les programmes d'enseignement des langues y avaient été négligés dans la quasi-totalité des cas. Il est vrai que la demande de services en français en dehors du Québec se manifestait moins fréquemment mais l'équipe estimait que toutes les régions n'en devaient pas moins se doter d'une capacité bilingue minimale afin de faire face à un accroissement éventuel de la demande dans les deux langues.

La Direction des programmes tarifaires et de l'appréciation, qui est située pour l'essentiel à l'administration centrale, compte cependant quatre unités douanières en divers endroits du Canada et six, outre-mer. En règle générale, l'équipe a remarqué que les opérations menées à l'administration centrale respectaient les dispositions de la Loi sur les langues officielles, mais que les usages et modalités établis par la Direction pour la rédaction de la traduction des décisions relatives à l'application de la Loi sur les douanes se prêtaient à l'amélioration. Alors que le ministère était en voie de réaliser son programme de bilinguisme à l'administration centrale et dans les bureaux d'outre-mer de la direction susmentionnée, lequel programme se conformait à la Loi sur les langues officielles, dans le domaine des activités régionales, par contre, seule l'unité de Montréal de cette même direction pouvait assurer des services bilingues. Dans les trois autres unités, on n'estimait pas nécessaire ou prioritaire l'embauchage de personnel bilingue pour fournir éventuellement des services dans les deux langues officielles. Certes, la direction avançait des raisons valables pour justifier la faiblesse des programmes d'enseignement des langues, mais il n'en restait pas moins qu'il était souhaitable et même nécessaire de doter chaque unité d'un personnel bilingue minimal puisque toutes servaient des populations francophones et anglophones et devaient donc poser en principe l'existence d'une demande de services en français dans chacune des régions desservies. La



avantages : d'une part elle facilitait le remplacement du personnel titulaire parti suivre des cours de langue et, d'autre part, comme l'on prévoyait un accroissement du volume de travail au cours des prochaines années, ce personnel de renfort pourrait sans difficulté être intégré à l'effectif normal. La Direction, qui reconnaissait l'utilité d'une bonne répartition du personnel permettant de tirer le meilleur parti des précieuses capacités linguistiques, a bien essayé de muter des employés bilingues à l'intérieur même d'une région ou d'une région à l'autre, mais sans succès.

En réalité, elle n'incitait guère son personnel à la mobilité. Elle a pourtant convenu que ses employés accepteraient plus facilement d'être mutés si elle éliminait les causes de l'immobilité actuelle, si elle offrait des stimulants de tous ordres et si elle atténuait les rudes épreuves que les francophones bilingues doivent subir et surmonter lorsqu'ils vivent et travaillent hors de leur milieu culturel.

Dans ses efforts pour remplir les obligations imposées par le bilinguisme, la Direction disposait d'une ressource importante dont elle n'a pas su tirer le meilleur parti : les cours de langue, auxquels, en effet, selon les chiffres et les renseignements fournis, seules l'administration centrale et deux régions (Québec et Ontario central) ont inscrit un nombre appréciable de leurs employés. Le manque d'écoles régionales de langues et la moyenne d'âge élevée du personnel fonctionnel de la Direction constituaient deux obstacles à la participation aux cours de langue. Le ministère avait pris l'initiative de créer pour le Québec et la région atlantique un programme inter-régional restreint de maintien de l'acquis afin d'offrir à ses employés originaires de zones essentiellement unilingues l'occasion de consolider et de perfectionner leurs connaissances de la seconde langue. Ce programme ne s'appliquait toutefois pas partout à travers le pays.

La Direction de l'accise, qui recouvre à la fois les secteurs des taxes d'accise et des droits d'accise, affirmait que la prestation de services bilingues à ses clients et détenteurs de licence posait peu de problèmes. L'équipe a néanmoins découvert que les modalités instaurées à cette fin par la Direction ne respectaient pas exactement la Loi sur les langues officielles; ainsi, elle n'informait pas ses détenteurs de licence qu'elle offrait des services en anglais et en français et elle ne les invitait pas non plus à préciser la ou les langues officielles dans lesquelles ils souhaitaient, avec leur personnel, être servis. Pour la taxe d'accise, toutes les régions disposaient d'une certaine capacité bilingue et il était relativement facile de répartir le personnel à l'intérieur de certaines régions pour offrir des services dans les deux langues. La section des taxes d'accise ne semblait pas, par ailleurs, avoir de plans définis d'extension de sa capacité bilingue, alors même qu'elle s'attendait à un accroissement de la demande de services bilingues. Il était certes peu

conduite claire quant à la demande et aux exigences de services bilingues. Il n'a pas fait de distinction entre les deux aspects du problème, à savoir, d'une part l'acceptation ou le rejet du principe d'une demande importante et régulière, partout ou en des endroits précis, et d'autre part la détermination du ou des niveaux des services bilingues exigés, une fois ce postulat accepté. En réalité, il ne semble pas avoir posé en principe l'existence d'une demande régulière et importante de services dans les deux langues officielles d'un bout à l'autre du pays; car tandis qu'il offrait toujours et partout ses services en anglais, il ne les fournissait en français que sur demande expresse.

À la Direction des opérations douanières, on estimait qu'avant de réaliser pleinement les objectifs du bilinguisme, il faudrait résoudre les importants problèmes qui se posaient en matière de personnel. On espérait cependant, par un recrutement approprié, pouvoir satisfaire

aux exigences de la loi.

Lors de l'étude, la Direction ne savait pas de façon certaine quelle était la répartition de son personnel bilingue et de son personnel unilingue du fait qu'il lui était impossible d'obtenir des renseignements sur le personnel au niveau de la plus petite unité de fonctionnement dans le pays. Les données recueillies étaient néanmoins suffisamment sûres pour permettre d'affirmer que la Direction des opérations douanières n'offrait aux voyageurs des services bilingues satisfaisants que dans la province de Québec, à certains ports du Centre et de l'Est de l'Ontario, au port de Windsor, à l'aéroport international de Toronto et aux ports du Nouveau-Brunswick. La Direction n'était pas en mesure d'assurer la présence, dans d'autres endroits, d'au moins une personne bilingue par

équipe pour servir les voyageurs.

Les employés intermittents représentent un apport important au personnel permanent de chaque région. En 1971-1972, la Direction a engagé près de 600 employés intermittents; selon elle, environ un tiers des employés affectés à des ports situés en dehors du Québec étaient jugés bilingues ou bien possédaient quelques notions de la seconde langue officielle. Toutefois, aucune région en dehors du Québec ne faisait des connaissances linguistiques une condition préalable à l'emploi. La Direction et les régions qui en dépendent ont des pouvoirs étendus dans le domaine de l'embauchage. L'équipe a appris que les concours de recrutement de personnel bilingue, en particulier de personnel de bureau et de surveillance, débordaient rarement le cadre immédiat de la région, bien que les règlements le permettent. Deux régions cependant ont organisé, avec succès, de tels concours, ouverts à tous, notamment pour des emplois situés à des postes frontalière importants et dans des aéroports internationaux. En fait, la Direction tablait essentiellement sur l'utilisation de personnel de renfort, là où les exigences de bilinguisme étaient très strictes. Une telle pratique présentait deux

gisme mais, dans son ensemble, le ministère ne disposait ni du personnel ni de l'infrastructure nécessaires pour coordonner, évaluer et suivre la mise en œuvre des orientations et programmes ministériels.

Dans ses activités à l'administration centrale, le ministère se conformait généralement aux dispositions de la Loi sur les langues officielles. Au moment de l'étude, tous les formulaires à l'usage du public étaient bilingues; toutefois, en raison de leur quantité et de leur diversité, le ministère ne savait pas s'ils étaient diffusés et offerts également dans les deux langues. Les publications destinées au public étaient bilingues à 80 p. 100, le reste devant l'être pour septembre 1972. L'équipe a remarqué qu'on n'était pas toujours également dans les deux langues les publications des autres ministères et des gouvernements provinciaux.

La signalisation, encore unilingue à l'administration centrale, devait être bilingue dans les nouveaux locaux; la situation était la même dans les bureaux régionaux de l'Accise, où les écriteaux devaient être rédigés dans les deux langues pour février 1973. Suivant la région, de 40 à 100 p. 100 des écriteaux utilisés dans la Section des opérations douanières étaient bilingues. Sauf dans une seule région, toute la signalisation devait être bilingue pour mars 1973. De plus, le ministère avait négocié, ou était en train de négocier, l'installation de panneaux bilingues avec les responsables de l'administration des ponts, mais il n'était pas très optimiste quant à l'issue des négociations.

L'équipe a étudié plus particulièrement les directions des opérations douanières, de l'accise, des programmes tarifaires et de l'appréciation, qui sont, et de loin, le plus souvent en contact avec le public. La Direction des opérations douanières traite avec trois catégories de clients : les résidents, les voyageurs et le monde des affaires, lequel bénéficiait, selon l'équipe, de services bilingues satisfaisants, dont les modalités administratives pouvaient toutefois être améliorées. Comme il était, en revanche, très difficile d'apprécier la qualité des services offerts au grand public dans ce même secteur des affaires, il y avait là une source latente de plaintes. L'équipe a reconnu que dans ce secteur, en dehors du Québec, la demande de services en français serait très faible.

La Direction des opérations douanières, qui sert essentiellement les voyageurs internationaux, a fait, jusqu'à la fin de 1971, des efforts systématiques de planification des services bilingues; à cette époque, on invita les régions à présenter leurs prévisions de programmes, mais ces dernières révélèrent de graves faiblesses dans la planification. L'administration centrale omit de donner aux régions des directives précisant où et dans quelle mesure il fallait offrir aux voyageurs des services bilingues, notamment en certains endroits du pays. On ne disposait pas non plus de renseignements suffisants sur les besoins en personnel. Comme nous l'avons déjà souligné, le ministère n'a formulé aucune ligne de



ont donné lieu à 48 recommandations. La plupart des plaintes relatives au service dans les postes frontalière et les aéroports ont été réglées de façon satisfaisante. De plus, le règlement de certaines plaintes s'inscrit-  
 vait souvent dans le cadre d'un programme de bilinguisme à l'échelle nationale.

Toutefois, en ce qui concerne son bureau de Niagara Falls, à la suite d'une plainte déposée à propos du manque de service en français, le ministère a refusé d'assurer un service bilingue 24 heures sur 24, alléguant que la demande en français n'était pas suffisante pour le justifier. Le Commissaire n'a pas accepté cette réponse. En conséquence, le ministère a convenu de demander aux membres de son personnel de déterminer quelle langue désirait utiliser la personne qui s'adressait à eux. Pour sa part, le Commissaire a formulé, dans ses rapports d'études spéciales, plusieurs recommandations visant à aider le ministère à surmonter cette difficulté. Le Commissaire contrôlera l'application de ses recommandations.

## ETUDE SPECIALE

L'étude du secteur Douanes et Accise du ministère du Revenu national visait à évaluer les mesures prises par le ministère en vue de se conformer aux dispositions de la Loi sur les langues officielles, surtout en ce qui concerne la prestation de services bilingues aux voyageurs. À l'origine, l'étude portait essentiellement sur l'administration centrale mais, par la suite, elle s'est étendue aux bureaux régionaux établis à travers le Canada.

Ses constatations touchent à des questions d'orientation, aux directives, aux programmes ministériels d'information, aux publics du ministère et, enfin, à la notion de demande. La déclaration sur le bilinguisme faite par le ministère deux ans après la promulgation de la loi manquait à la fois de clarté et de précision. Tout comme les directives ministérielles, elle ne définissait pas les divers types de clients du ministère, ni l'étendue et la gamme des services bilingues auxquels ceux-ci ont droit, pas plus d'ailleurs qu'elle ne précisait ce que le ministère entend par « demande régulière et suffisante ».

Au cours de ses visites dans les régions, l'équipe a pu constater que les objectifs du gouvernement et du ministère en matière de bilinguisme n'étaient pas parfaitement compris, de même que les prescriptions de la Loi sur les langues officielles. Dans quelques bureaux régionaux, on manifestait de l'indifférence, voire de l'hostilité, à la réforme même du bilinguisme, qu'on n'avait d'ailleurs guère pris la peine d'expliquer au personnel du ministère. Certes, la section des opérations douanières s'apprêtait à nommer un coordonnateur des programmes pour le bilin-

services dans les deux langues officielles. Cependant, ces deux documents sont en préparation et le Commissaire espère qu'ils seront bientôt prêts. Mis à part quelques cas sans grande importance, le ministère a annoncé des mesures à propos des écritureaux, des inscriptions dans les annuaires téléphoniques, du service téléphonique, etc. Par ailleurs, son service de traduction accorde une haute priorité à la correspondance adressée au public et le ministère essaie de persuader les sources non fédérales de fournir de la documentation dans les deux langues officielles. Il a également transmis des directives pour s'assurer que la publicité du ministère se fasse dans les journaux appropriés pour respecter les exigences de la loi.

L'attitude du ministère quant à la formation linguistique et au maintien de l'acquis semble raisonnable. La Division des services linguistiques de la direction du programme des langues officielles a commencé à explorer le domaine des cours de langue reliés aux tâches et le ministère est en train de mettre sur pied un régime de mutations volontaires qui permettra aux fonctionnaires qui ont suivi les cours de maintenir leurs connaissances de la langue seconde, bien qu'il ne semble pas y avoir encore de plan pour l'ensemble du ministère.

Le bureau de Moncton, où une étude distincte a été effectuée, est maintenant en mesure d'assurer ses services dans les deux langues officielles de façon plus constante. En octobre 1973, le ministère indiquait qu'il avait appliqué les neuf recommandations que le Commissaire avait formulées, en septembre 1972, au sujet de ce bureau. D'après les renseignements fournis, tous les écriteaux apposés dans les locaux des douanes et de l'acise situés à Moncton sont bilingues, les personnes qui téléphonent reçoivent une réponse dans la langue officielle de leur choix et, si nécessaire, un employé ne connaissant pas la langue de l'interlocuteur peut passer l'appel à un collègue qui peut s'en occuper de façon convenable.

Il est possible d'obtenir maintenant en français et en anglais des exemplaires du *Guide de sécurité nautique*, ainsi que de tous les formulaires destinés au public. Ce dernier peut se faire servir au comptoir dans les deux langues et, à l'aéroport de Moncton, où l'étude avait fait ressortir l'insuffisance de l'effectif bilingue, le ministère a créé un nouveau poste bilingue, pour lequel il a trouvé un titulaire.

Dans la plupart des cas, les plaintes soumisees ont reçu une attention suffisante. Le service douanier aux postes frontrière ainsi qu'aux aéroports internationaux a occasionné, comme il fallait s'y attendre, un nombre relativement élevé de plaintes — 40 exactement — déposées par des voyageurs.

Les douaniers, tout comme les percepteurs d'impôt, ne sont jamais parvenus à rivaliser de popularité avec le père Noël. Certaines plaintes étaient néanmoins fondées et les études spéciales qu'elles ont déclenchées

La société a informé le Commissaire en septembre 1973 qu'elle acceptait ses recommandations. Elle a précisé qu'elle venait d'ajouter quatre postes de standardistes bilingues. Elle estimait qu'ainsi elle pourrait assurer en tout temps des services dans les deux langues officielles.

- Un francophone fait grief à la société de ne pas avoir le personnel bilingue suffisant à son bureau d'information et de réception à Winnipeg pour offrir un service continu et efficace dans les deux langues officielles. La société a affirmé qu'il y avait un agent bilingue à son service d'information à Winnipeg. Il était disponible de 9 à 17 h, du lundi au vendredi. D'autre part, après 17 h, les appels téléphoniques pour les services en langue française étaient transmis à l'annonceur de service dans la salle de contrôle des émissions en français. En décembre 1972, la société a engagé une standardiste bilingue. Elle comptait améliorer la situation en augmentant encore l'effectif de ses standardistes bilingues à Winnipeg.

Ayant souligné à la société qu'elle devait fournir en tout temps dans la région de Winnipeg des services de même qualité dans les deux langues officielles, le Commissaire lui a recommandé de prendre les mesures nécessaires pour que ses Services d'information et de réception respectent la loi.

REVENU NATIONAL — DOUANES ET ACCISE — « Vous ne l'em-  
porterez pas avec vous »

## APPRECIATION

Dans l'ensemble, le ministère a réagi de façon très positive aux recommandations formulées par le Commissaire dans les rapports d'études spéciales de septembre 1972 et de janvier 1973, ainsi d'ailleurs qu'aux plaintes reçues pendant les trois dernières années. En ce qui concerne les recommandations contenues dans les rapports, le ministère n'a pas toujours été capable d'en respecter les échéances, mais il a commencé à prendre des mesures au sujet de la plupart d'entre elles et a réalisé des progrès importants, particulièrement dans ses efforts visant à encourager l'enseignement de la langue seconde et le maintien de l'acquis.

Le ministère, à deux exceptions près, s'est conformé de façon satisfaisante à toutes les propositions du Commissaire en vue de l'application de la Loi sur les langues officielles. Il n'a pas élaboré une nouvelle politique linguistique, comme le demandait la première recommandation, préférant sensibiliser tout d'abord la direction par des séances d'information et des réunions, et n'a pas encore préparé de plan pour assurer ses



La société était convaincue que grâce à cette nouvelle émission intitulée « Pourquoi » et aux séquences en langue française de « Sesame Street », un plus grand nombre de jeunes Canadiens apprendraient à connaître la langue et à découvrir la culture française.

*Dossiers nos 703, 730, 1019 — Accueil*

• Deux Franco-ontariens déclarent qu'ils ne peuvent obtenir de services en français de la part des standardistes de la société à Toronto. Ils précisent qu'au début des conversations téléphoniques le nom de la société est souvent donné en anglais seulement; de plus, les standardistes répondent souvent en anglais, et parfois sur un ton désagréable, à des questions qui leur sont posées en français; enfin, dans certains cas, il est impossible d'entrer en communication avec la personne à qui l'on veut parler si on ne s'adresse pas à la standardiste en anglais.

La société a souligné qu'à l'ouverture de la station radiophonique de langue française CIBC à Toronto le 1<sup>er</sup> octobre 1964, le personnel de ce service était unilingue. Toutefois, en septembre 1972, sept des treize employés de ce service étaient bilingues. De plus, lorsqu'un poste devenait vacant, la société exigeait de toute candidate un minimum de connaissance de l'autre langue. Elle estimait que durant 85 p. 100 du temps le service était assuré dans les deux langues officielles. En outre, elle a donné l'assurance au Commissaire que, si avec l'ouverture de la nouvelle station de télévision de langue française en 1973, le nombre d'appels téléphoniques en français augmentait sensiblement, elle veillerait à ce que ce service réponde aux nouvelles exigences.

Après instruction, le Commissaire a recommandé à la société ce qui suit :

1) que, lorsqu'à Toronto, les standardistes répondent aux appels téléphoniques, elles donnent le nom de la société dans les deux langues officielles : « CBC-Radio-Canada »;

2) que les standardistes anglophones unilingues renvoient automatiquement les appels en français à des collègues ayant une bonne connaissance de cette langue, tout en disant à l'interlocuteur cette phrase très simple en français : « Un instant, s'il vous plaît » ;

3) que les standardistes s'abstiennent de parler en anglais aux francophones étant donné que le service doit être fourni automatiquement dans la langue officielle de l'intéressé;

4) que l'attente soit toujours et autant que possible limitée;

5) que la composition et la répartition du personnel soient telles que le service puisse être assuré en tout temps dans les deux langues officielles conformément à ce qui précède.

• Un francophone déclare que la plaque sur l'immeuble de la société à Belle-Côte, dans le comté d'Inverness en Nouvelle-Ecosse, est en anglais seulement.

La société a informé le Commissaire que cette plaque unilingue avait été enlevée pour être remplacée par une autre bilingue.

• Deux francophones d'Ottawa déclarèrent avoir reçu de la société des feuillets T4A-1972 sur lesquels le nom et l'adresse de la société étaient inscrits en anglais seulement.

La société a reconnu le bien-fondé de la plainte. Toutefois, elle a souligné que pour la première fois ces feuillets étaient imprimés par ordinateur. L'erreur avait été repérée à la fin de février 1973 mais à cette date tous les feuillets avaient déjà été distribués. Elle a donné l'assurance au Commissaire que des mesures correctives avaient été prises afin que cette irrégularité ne se renouvelle pas.

Selon le Commissaire, le nom et l'adresse de la société auraient dû figurer dans les deux langues officielles ou encore en anglais sur les feuillets destinés aux anglophones et en français sur ceux destinés aux francophones. Le Commissaire a invité la société à tenir compte de cet avis lorsqu'elle émettrait des documents de ce genre.

#### Dossiers n° 1768 — « Chez Hélène »

Une anglophone déplore la suppression de l'émission « Chez Hélène » au réseau anglais de télévision. C'était, selon elle, la seule émission bilingue qui enseignait les rudiments du français aux petits anglophones. Elle affirme que l'émission qui a remplacé « Chez Hélène » n'est pas d'aussi bonne qualité ni d'égale durée.

De l'avis des réalisateurs de la société et d'experts-conseils de l'extérieur, si l'émission « Chez Hélène » avait été valable jusqu'alors, de nouvelles méthodes d'enseignement du français s'étaient développées et de nouvelles techniques de production avaient été introduites. La société a également tenu compte du fait que la cote d'écoute de « Chez Hélène » avait diminué régulièrement ces dernières années et souvent était inférieure à celle de « Sesame Street ». Elle a estimé qu'un plus grand nombre d'enfants pouvaient prendre connaissance du milieu francophone par les séquences en langue française de « Sesame Street ».

Les insertions de caractère bilingue et multiculturel de l'émission « Sesame Street » ne remplaçaient pas « Chez Hélène » mais cela n'avait jamais été l'intention de la société. Une nouvelle émission sur la connaissance du français destinée aux jeunes anglophones était alors en préparation aux studios de Montréal.

Le Commissaire a communiqué aux plaignants la réponse de Radio-Canada. Le remaniement de la direction de la société ainsi que le règlement de la grève avaient profondément transformé la situation et le Commissaire estimait que l'évolution se faisait dans un sens favorable.

*Dossier n° 715—Un Esquimaux à Montréal*

• Une anglophone se plaint de l'intolérance des Montréalais francophones face à l'anglais et prétend que les standardistes de Radio-Canada interrompent ses communications quand elle parle anglais. Elle explique que son mari, d'origine esquimaude, travaille à Radio-Canada depuis sa mutation des Territoires du Nord-ouest à Montréal. Là, des techniciens lui ont dit de ne parler que le français, ce qui ne lui facilite pas la tâche.

Elle déclare également qu'au nouvel édifice de Radio-Canada, il n'y a aucun écriteau en anglais et que les dépliants distribués au public dans l'édifice sont tous rédigés en français. Elle rappelle au Commissaire que M. Dieffenbaker a déclaré publiquement ne pas avoir vu d'écriteaux en anglais lors de sa visite de l'édifice.

Le Commissaire s'est proposé de transmettre la plainte concernant l'attitude « linguistique » des Montréalais francophones au Commissaire aux langues pour le Québec, mais il n'a pas reçu de sa correspondante l'autorisation nécessaire. Il a signalé les autres questions à la société de Radio-Canada qui lui a répondu que les standardistes du bureau de Montréal étaient bilingues et qu'elles étaient réputées pour leur politesse et leur servabilité. C'était la première fois qu'elle recevait une telle plainte et elle refusait de croire que l'on ait délibérément interrompu la conversation d'une personne qui ne pouvait s'exprimer en français.

Quant aux difficultés éprouvées dans son travail par le mari de la plaignante, il s'agissait d'un problème de relations entre employés qui ne regardait pas la direction. En outre, ces difficultés étaient peut-être liées, à l'époque, à un conflit du travail dans lequel le syndicat faisait valoir sa revendication d'une prime de bilinguisme.

La plupart des panneaux d'orientation apposés dans l'édifice usaient de signes et non de mots. Dans quelques cas, faute d'espace, on utilisait une seule langue, celle de la majorité des occupants de l'édifice; ainsi trouvait-on les inscriptions unilingues « sortie », « 3<sup>e</sup> ». Ceci mis à part, il y avait au moins autant d'écriteaux bilingues dans cet édifice que dans les autres édifices de Radio-Canada au pays. De plus, les dépliants destinés aux visiteurs étaient bilingues.

Le Commissaire a transmis à la plaignante les explications de Radio-Canada.



## Dossier n° 557—Publicité

Un Franco-mantobain estime que les services français de la société à Winnipeg font trop peu de publicité dans *La Liberté*. Il reconnaît que cet hebdomadaire publie des communications et l'horaire des émissions télévisées de la société mais il est d'avis que le nombre d'annonces y est insuffisant pour donner aux Franco-mantobains les renseignements nécessaires sur les émissions dans leur langue. Il souhaiterait que dans les régions où il n'y a pas de quotidiens de langue française les organismes fédéraux aient recours aux hebdomadaires de cette langue.

La société a indiqué qu'il ne devrait pas être nécessaire de souligner l'intérêt qu'elle portait au fait français dans l'Ouest canadien et plus particulièrement dans la région de Winnipeg. Elle a ajouté qu'elle connaissait bien *La Liberté* et qu'elle avait souvent collaboré avec cet hebdomadaire. D'ailleurs, elle venait de signer avec celui-ci un contrat pour l'insertion d'annonces publicitaires.

## Dossier n° 688—Cours de langue

Deux anglophones, techniciens supérieurs en télévision à Ottawa, se plaignent au Commissaire de subir un manque à gagner parce qu'ils n'ont pu suivre des cours de français. Ils soutiennent qu'il appartient au réalisateur de choisir son équipe technique. Les techniciens franco-phones ou bilingues sont de plus en plus recherchés par le réalisateur de langue française et en conséquence, les techniciens unilingues anglais ont moins de travail et gagnent moins d'argent. Pour corriger cette situation, ils désireraient suivre des cours d'immersion totale en français de façon à être en mesure de travailler aux réseaux anglais et français. Selon eux, cette solution qui permettrait à Radio-Canada d'utiliser, au moins en partie, le même personnel pour les deux réseaux, serait donc économique à long terme.

Le Commissaire a accepté de porter la question à l'attention de Radio-Canada. La société a précisé au Commissaire qu'elle menait une étude approfondie sur les exigences linguistiques de chaque poste dans la région d'Ottawa. Toute décision future se fonderait sur les résultats de cette étude.

Sur ces entre faites, le syndicat des techniciens N.A.B.E.T. a déclenché une grève. Radio-Canada a précisé au Commissaire que son étude visait uniquement les définitions de tâches et qu'une répartition du personnel suivant les exigences linguistiques de chaque poste prendrait beaucoup plus de temps. La société jugeait préférable d'informer elle-même son personnel de ses intentions au lieu de passer par un tiers.

Le Commissaire a répondu que la situation ainsi rapportée ne constituait pas, à son avis, une contravention à la Loi sur les langues officielles. Il estimait qu'en cas de grève la modification ou la suppression d'émissions pour des raisons techniques ou d'intérêt patronal ou syndical ne portait pas atteinte à l'esprit et à la lettre de la loi.

• Une francophone se plaint de l'absence d'émissions de télévision en français dans la région de Rivière-la-Paix.

Le Commissaire a transmis à la plaignante les renseignements contenus à la page 253 de son deuxième rapport annuel sur cette question. Au mois d'octobre 1973, la société a informé le Commissaire qu'elle avait présenté le 9 juillet 1973 une demande au C.R.T.C. pour l'établissement d'un rémetteur-télévision à Falher qui desservirait la région de Rivière-la-Paix.

#### *Dossier n° 1278—En Colombie-Britannique*

Un francophone déclare que plusieurs personnes de la région de Chilliwack s'opposent à l'établissement prévu par la société d'une station de radio MF de langue française à Chilliwack. Il demande au Commissaire d'intervenir en faveur du projet auprès des autorités fédérales.

La société a souligné qu'elle avait présenté au début de 1972 une demande à ce sujet au C.R.T.C. Celui-ci s'était proposé d'inscrire cette demande à l'ordre du jour de l'audience publique qui devait avoir lieu à Edmonton en octobre 1972. Toutefois, en septembre, la société avait constaté que le projet soulevait à Chilliwack de vives réactions. De plus, on aurait insisté, selon la société, sur l'insuffisance de son service de radio en langue anglaise dans la région de Chilliwack. Radio-Canada avait alors jugé qu'il convenait d'approfondir ces deux questions avant que sa demande relative à une station MF ne soit entendue. La société demanda au C.R.T.C. le 22 septembre 1972 de reporter à plus tard l'audition de cette demande.

Le Commissaire exprima l'avis que, puisqu'il existait plusieurs stations radiophoniques de langue anglaise dans cette région et qu'il n'en existait aucune de langue française, la société devait faire tout en son pouvoir pour étendre le plus tôt possible son service de radio en langue française à cette région, quitte à améliorer par la suite ses services en anglais. La société a écrit de nouveau au C.R.T.C. le 8 décembre 1972 pour lui communiquer le résultat de son étude et lui demander d'inscrire de nouveau sa demande à l'ordre du jour d'une prochaine audience publique. Celle-ci eut lieu en juin 1973 et la demande fut approuvée le mois suivant. La société espérait que la nouvelle station entrerait en service au mois de décembre 1973.

La société a souligné que l'établissement de stations de télévision française à Saskatoon et à Prince-Albert ainsi que l'établissement d'une station de radio française à Prince-Albert étaient prévus dans son programme accéléré de rayonnement mais que, étant donné que celui-ci n'avait pas encore été approuvé par le Cabinet, elle ne pouvait donner plus de précisions à ce sujet.

• Une francophone se plaint de l'absence d'émissions de télévision en langue française dans la région de Saint-Louis. De plus, elle déplore le fait que les Canadiens, surtout ceux qui sont privés des émissions de télévision en français de la société, ne puissent au moins entendre au réseau anglais les hommes politiques qui s'expriment occasionnellement en français. Elle cite, à titre d'exemples, les conférences de presse de MM. Trudeau et Lewis du 1<sup>er</sup> novembre 1972 où toutes les interventions en français ont été traduites en anglais au réseau anglais.

La société a informé le Commissaire qu'elle soumettrait au cours de 1972 une demande au C.R.T.C. pour obtenir l'autorisation d'établir une station de télévision de langue française à Prince-Albert. Quant à la question de la traduction lors d'interviews dans les émissions de langue anglaise, la société a souligné que ses services anglais se devaient de servir leurs auditeurs de langue anglaise dans leur langue. Il était nécessaire, selon elle, que le message transmis soit compris dans sa totalité, particulièrement lorsqu'il s'agissait de communications d'intérêt national. Elle a ajouté qu'il n'existait pour le moment aucun système satisfaisant pour sous-titrer dans l'autre langue une émission diffusée en direct.

• Plusieurs organismes s'opposent, pour des raisons d'ordre culturel et économique, au déménagement à Regina, dans le cadre du regroupement des installations de production de Radio-Canada, de la station de radio de langue française CFRG de Gravelbourg nouvellement acquise par la société.

Après un examen de la question, le Commissaire a conclu qu'il s'agissait là d'une matière purement administrative et qu'il n'y avait pas à son avis de contrevenant à la Loi sur les langues officielles.

*Dossiers nos 974, 998—En Alberta*

• Une plaignante écrit au Commissaire au sujet de la suppression d'émissions en français au canal 5 de Radio-Canada à Edmonton, en raison de la grève des syndiqués de N.A.B.E.T. Elle joint à sa plainte une lettre d'un technicien qui prétend que la société aurait pu diffuser certaines émissions en français si elle avait fait preuve d'un peu d'imagination.



considéré comme un changement de politique mais tout simplement comme un arrangement à court terme. Elle a de plus souligné au Commissaire qu'elle ne pouvait céder à son invitation et changer sa politique en ce qui a trait à la radiodiffusion en langues étrangères. Toutefois, elle a précisé qu'elle réexaminerait sa position à la lumière de toute nouvelle politique que le gouvernement fédéral pourrait adopter dans ce domaine.

*Dossiers nos 727, 1508, 1525, 1555, 1686—En Saskatchewan*

• Un francophone se plaint de l'absence d'émissions de télévision en français à Saskatoon et dans le nord de la Saskatchewan.

La société a informé le Commissaire que ses stations de télévision en langue anglaise de Moose Jaw, Regina et Saskatoon présentaient à la population d'expression française de ces endroits environ trois heures et demie d'émissions en langue française par semaine. Ce service devait être assuré jusqu'à ce qu'elle soit en mesure d'ouvrir des stations de télévision en langue française dans ces régions.

Elle a ajouté qu'elle comptait demander au C.R.T.C. l'autorisation d'établir une station de télévision en langue française à Regina/Moose Jaw et une autre à Saskatoon. Elle espérait que le C.R.T.C. pourrait inscrire ces demandes à l'ordre du jour d'une audience publique au début de l'automne 1972 afin qu'elle puisse commencer à diffuser aussitôt que possible en 1973. En outre, la société devait soumettre au cours de 1973 une autre demande pour obtenir l'autorisation d'établir une station de télévision en langue française à Prince-Albert. Elle a ajouté que ses projets prévoyaient la création d'autres stations de télévision en langue française à Radville, Montmartre, Willow Bunch, Ponteix, North Battleford, Arborfield et Meadow Lake.

Bien que la plainte n'avait trait qu'à la télévision, la société a bien voulu fournir au Commissaire des renseignements concernant l'extension de ses services de radio en langue française en Saskatchewan. Elle comptait créer des stations de radio de langue française à Regina, Saskatoon et Meadow Lake. Elle était en pourparlers à propos de l'acquisition de la station CFRG de Gravelbourg. La société n'était pas cependant en mesure de lui communiquer le calendrier de mise en service de ces stations.

Au mois d'octobre 1973, la société a informé le Commissaire qu'elle demanderait d'ici la fin de 1973 au C.R.T.C. l'autorisation d'établir une station de radio en langue française à Regina/Moose Jaw. Une demande semblable pour la télévision française dans cette région devrait être soumise à l'automne 1974. En ce qui concerne la région de Saskatoon, elle prévoyait faire une demande au printemps 1974. Enfin,

tout comme le réseau français, diffuser quelques émissions en langues étrangères; elle était en outre d'avis que les stations privées de radio de langue anglaise devraient contribuer à résoudre ce problème;

6) la politique linguistique de la société était basée sur la Loi sur la radiodiffusion, l'article 3 stipulant « que tous les Canadiens ont droit à un service de radiodiffusion dans les langues anglaise et française, au fur et à mesure que des fonds publics deviennent disponibles » et que le service national de radiodiffusion devrait « être de langue anglaise et de langue française pour répondre aux besoins particuliers des diverses régions et contribuer activement à la fourniture et à l'échange d'informations et de divertissements d'ordre culturel et régional ». Il s'agissait donc là d'une priorité pour la société, ce qui ne voulait pas dire qu'il lui était interdit de diffuser en d'autres langues.

Quoiqu'à son avis il n'y avait pas dans ce cas de contrevention à l'article 38 de la Loi sur les langues officielles parce que la société se basait non pas sur cette dernière, mais sur la Loi sur la radiodiffusion, le Commissaire a cru bon de lui exposer son point de vue sur cette question. Il l'a invitée à reconsidérer sa politique linguistique et à permettre si possible à ses stations de radio de langue française et de langues anglaise à Winnipeg de diffuser quelques émissions hebdomadaires en langues étrangères. A vrai dire, la majorité de ces émissions devraient, selon le Commissaire, être présentées à la station de radio de langue anglaise de la société, car il existe dans cette région plusieurs postes privés de radio de langue anglaise alors qu'il n'y a, en langue française, que le seul poste de la société. Il va de soi que si les stations privées de radio MA de Winnipeg acceptaient de diffuser certaines de ces émissions, la responsabilité de la société à cet égard en serait d'autant diminuée.

Le 29 mars 1973, le C.R.T.C. annonçait qu'il avait autorisé l'achat de la station CKSB par Radio-Canada et déclarait à propos de la diffusion d'émissions en langues étrangères que :

« Lors de l'audience publique où cette demande a été entendue, un certain nombre d'interventions ont été soumises s'opposant au projet de retirer de l'horaire certaines émissions que CKSB diffusait depuis plusieurs années à l'intention des citoyens de langues ukrainienne, polonaise, allemande, portugaise, juive et italienne. Radio-Canada a informé le Conseil qu'en raison de cette coutume, elle continuerait pour une période de douze mois, de mettre du temps d'antenne, dans une proportion semblable, à la disposition de n'importe lequel de ces groupes qui le désire, afin d'accorder à ceux qui ne l'ont pas encore fait un délai suffisant pour conclure d'autres ententes convenables concernant la diffusion de leur programmation dans la région de Winnipeg. Le Conseil considère que cette solution est raisonnable et équitable. »

La société a par la suite indiqué au Commissaire que ce délai d'un an accordé aux groupes ethniques intéressés ne devait pas être

7) Tout en considérant que la diffusion dans de nouvelles langues ne peut être envisagée, la société croit que les différentes cultures du Canada devraient se refléter davantage dans ses émissions régulières.

8) Un des objectifs actuels de la société est l'amélioration de ses services régionaux. Il existe une corrélation étroite entre programmation régionale et programmation ethnique. Ce facteur à lui seul garantit un intérêt accru de la contribution culturelle des groupes ethniques et la société considérera attentivement cette question.

9) Elle croit que le service de radiodiffusion national dans sa forme actuelle ne se prête pas au polylinguisme. La meilleure solution au problème serait que les groupes ethniques poursuivent leurs efforts en vue d'obtenir des temps d'antenne de la part des stations n'appartenant pas à la société. Celle-ci assumerait de son côté son obligation première de développer les services nationaux en anglais et en français en s'efforçant d'en améliorer le contenu multiculturel.

10) Des émissions émanant des nombreux groupes ethniques du Canada enrichiraient les services actuels de la société. Celle-ci projette d'explorer les possibilités de programmation dans ce secteur.

Le 19 février 1973, deux des membres du bureau du Commissaire ont assisté à Montréal, en tant qu'observateurs, à l'audience publique du C.R.T.C. sur cette question. Par la suite, le Commissaire a obtenu du C.R.T.C. une copie des rapports qui lui avaient été présentés ainsi que la transcription des dépositions. L'examen de ces documents a permis de constater que :

1) CKSB diffusait des émissions en langues étrangères depuis plus de vingt ans;

2) les groupes ethniques réclamaient 6 heures et demie d'antenne par semaine (soit environ 1 heure par groupe ethnique) ;

3) la plupart des émissions en langues étrangères étaient faites par des volontaires et les différents groupes ethniques étaient prêts, apparemment, à défrayer de telles émissions; ils ne demandaient donc à la société qu'un peu de temps;

4) les émissions en langues étrangères, selon les représentants des différents groupes ethniques, rendaient service aux immigrants qui ne comprennent ni le français ni l'anglais; elles aidaient ceux-ci à s'intégrer plus facilement à la vie canadienne;

5) la Société franco-manitobaine ne s'opposait pas au multiculturelisme ni au fait que les groupes ethniques aient certaines émissions dans leur langue; toutefois, elle ne voulait pas que cela se fasse seulement aux dépens des francophones, et selon elle, le réseau anglais devrait,



La société a informé le Commissaire que le C.R.T.C. avait, le 16 janvier 1973, autorisé l'établissement d'une station de télévision de langue française dans la région d'Esplanola. Elle espérait que la station serait en mesure de diffuser vers la mi-novembre 1973.

*Dossiers nos 1661, 1662, 1702, 1772, 1864—Emissions en langues étrangères au Manitoba*

Divers groupes ethniques informent le Commissaire de la décision de Radio-Canada de se porter acquéreur de la station de radio de langue française CKSB de Saint-Boniface. Ils prétendent que la société a l'intention d'utiliser cette station pour diffuser exclusivement des émissions en français et demandent au Commissaire d'intervenir afin que la station CKSB continue à diffuser des émissions en d'autres langues. La société a informé le Commissaire de sa politique linguistique :

1) Aux débuts de la radiodiffusion nationale elle a appliqué une politique de diffusion en anglais et en français. A mesure que ses services se sont développés dans le nord du pays (au Yukon et dans les Territoires du Nord-Ouest) elle a légèrement modifié sa politique initiale et a autorisé la diffusion en indien et en esquimau.

2) La diffusion dans les autres langues était réservée à Radio-Canada International dont les programmes étaient relayés par certaines stations privées qui desservaient divers groupes ethniques.

3) La Loi sur la radiodiffusion précise clairement les priorités que la société doit respecter pour répondre aux vœux exprimés par le Parlement. Le développement d'un service en anglais et en français est l'une de ces priorités. Il y a à travers le pays quantité d'endroits où ce service en anglais et en français est inexistant ou doit être amélioré. Cette mission incombe à la société.

4) La société doit répondre aux besoins des diverses régions. A mesure que ses services prennent de l'expansion dans le Nord, elle ne saurait répondre aux besoins particuliers de cette région à moins d'assurer un service en langues locales. Même si cela a été entrepris, personne n'est entièrement satisfait de la situation. De plus, pour jouer pleinement son rôle dans les autres régions, la société a encore beaucoup à faire.

5) Le 29 janvier 1973, lors du réexamen de la politique linguistique de la société suscitée par la situation de la station CKSB, le conseil d'administration de Radio-Canada s'est penché sur tous ces problèmes.

6) Les ressources financières limitées de la société ne lui permettent pas de créer des services en de nouvelles langues tant qu'elle n'aura pas achevé les missions qui lui ont été assignées par le Parlement. Toute autre ligne de conduite entraînerait la détérioration des services actuels.

la société a répondu au Commissaire, ses ingénieurs étudiaient les aspects techniques des nouvelles stations de télévision en langue française qu'elle se proposait d'installer à Kitchener, London, Chatham, Windsor, Espanola et Chapleau. Aux termes d'un plan de diffusion accéléré, annoncé par le gouvernement dans le discours du Trône du 17 février 1972, la société envisageait également la création de stations de télévision en langue française à Geraldton, Penetanguishene, Kingston/Belleville et Thunder Bay.

L'énumération ci-dessus donne un aperçu de l'ampleur des projets de la Société Radio-Canada en ce qui a trait à l'extension de ses services français de télévision en Ontario. La société a signalé que de tels travaux ne pouvaient toutefois être réalisés en un an mais devaient être échelonnés sur plusieurs années car elle devait pendant cette même période répondre à d'autres besoins relatifs à l'extension de ses services dans les deux langues officielles à l'échelle nationale.

La société regretterait de ne pouvoir être plus précise à ce moment-là. Elle a souligné que tous les projets à l'étude seraient examinés afin de fixer l'ordre de priorité en tenant compte des crédits disponibles.

• Des francophones et des anglophones déplorent l'absence d'émissions de télévision en français dans la région de Penetanguishene. Afin de corriger cette lacune, ils suggèrent que la société installe dans les plus brefs délais un rémetteur-télévision à Parry Sound d'où pourraient être retransmises les émissions de la station française de Sturgeon Falls.

La société a informé le Commissaire que ses objectifs n'avaient pas changé. Un rémetteur-télévision retransmettant les émissions de télévision en langue française devrait être mis en service en 1975. Elle a souligné qu'une étude en cours devait permettre de déterminer les priorités dans le cadre de son plan de diffusion accéléré. Il se pourrait même que la date de mise en service de ce rémetteur s'en trouve avancée. Cependant, elle a ajouté qu'elle devait maintenir la date de 1975 et attendre les recommandations de l'étude avant d'apporter des modifications à ses objectifs.

Il était prématuré d'en fixer l'emplacement et aucune décision n'avait encore été prise. Toutefois, la société a assuré le Commissaire que ses ingénieurs choisiraient cet emplacement avec toute la rigueur qu'elle veut afin d'assurer au public, notamment à celui de Penetanguishene, la meilleure réception possible.

• Une francophone d'Espanola déclare qu'on promet depuis quatre ans aux citoyens de cette région des émissions de télévision en français. Elle aimerait savoir quand ils pourront bénéficier des services de la station de télévision de langue française de North Bay.

pas prévu d'émissions de radio et de télévision en anglais dans la région de Trois-Rivières.

La société a informé le Commissaire qu'elle avait inclus dans son plan global de rayonnement l'établissement de stations de radio et de télévision de langue anglaise dans cette région. Toutefois, elle a souligné que ce plan devait être soumis au Conseil d'administration de la société avant d'être communiqué au Secrétaire d'Etat qui devra le présenter au Conseil des ministres. Il ne lui était donc pas possible de prévoir quelle priorité serait accordée à ces deux projets.

*Dossiers nos 744, 931, 1035, 973, 987, 1684—Ontario*

• Une correspondante se plaint de l'absence d'émissions en français de radio et de télévision dans la région de Fort Frances-Dryden-Kenora. Elle souligne que les francophones de cette région ainsi qu'un certain nombre d'anglophones qui apprennent le français aimeraient bénéficier de tels services.

La société a informé le Commissaire que cette question avait été examinée lors d'études portant sur l'extension régionale des réseaux de la société dans les Prairies. Il a été décidé de prévoir la création de stations de radio et de télévision à Kenora et à Dryden qui retransmettraient des émissions en langue française de Winnipeg. Toutefois, aucun plan de ce genre n'était prévu pour Fort Frances.

La société a ajouté qu'elle n'était pas en mesure de communiquer au Commissaire le calendrier de la mise en service de ces stations car l'étude sur les priorités à établir dans l'extension de ses réseaux pour l'ensemble du Canada n'était pas encore terminée.

• Des francophones se plaignent de l'absence d'émissions d'information sur le nord de l'Ontario à la télévision française de Sudbury.

Dans sa réponse au Commissaire, la société a indiqué qu'elle était consciente de la nécessité de diffuser plus d'informations d'intérêt local et régional dans la région de Sudbury. L'un de ses objectifs à long terme était de régionaliser ses services de radio et de télévision pour qu'ils reflètent mieux les activités d'une région donnée. Toutefois, elle a souligné que ce projet ne pouvait être réalisé qu'en fonction des moyens financiers mis à sa disposition et de l'ordre de priorité qu'elle devait respecter.

La société a ajouté que la création d'une station de télévision française à Toronto illustrait bien cet effort de régionalisation. Dès sa mise en service, cette station ne devait pas diffuser uniquement pour le public local, mais servir de poste émetteur pour tous les relais de la chaîne française de l'Ontario, diffusant ainsi les nouvelles qui présentaient un intérêt particulier pour les francophones. Au moment où



des noms français en particulier. En cas d'incertitude, on conseillait aux annonceurs de se renseigner auprès de leurs chefs de service ou de toute autre personne compétente. Le directeur de la station de Moncton a été informé de la plainte et son attention a été attirée sur la nécessité d'aider certains annonceurs.

• Un plaignant se demande pourquoi les émissions en langue française de Radio-Canada diffusées de Moncton ne rejoignent pas les francophones du nord du Nouveau-Brunswick.

La société a informé le Commissaire que le 25 novembre 1971 elle avait demandé au C.R.T.C. l'autorisation d'établir un émetteur à Neguac pour que la population du nord-est du Nouveau-Brunswick puisse capter les émissions en langue française diffusées de Moncton. Lors de l'audience publique tenue le 19 juin 1972 à Kingston, le C.R.T.C. a entendu la demande de la société. Le 20 juillet 1973, il décidait d'entreprendre une étude sur cette question.

Radio-Canada a ajouté que depuis trois ans on avait accordé une attention spéciale à l'extension de la télévision de langue française dans les provinces maritimes. Au Nouveau-Brunswick, le programme de la chaîne française de télévision était à la portée de 92 p. 100 de l'auditoire francophone, alors que les stations affiliées de Rimouski et de Carleton n'en rejoignaient que la moitié. L'émetteur de Neguac permettrait de servir une population qui avait été privée jusqu'alors d'émissions de télévision en langue française.

*Dossiers nos 943, 1660—Au Québec*

• Un correspondant anglophone de Cap-Noir, dans le comté de Bonaventure, déclare au Commissaire que maintes personnes de la côte de Gaspé ne peuvent capter des nouvelles radiophoniques en anglais sur les affaires locales et provinciales.

Après enquête, le Commissaire a découvert que Radio-Canada utilisait deux stations-relais de faible puissance (l'une à Gaspé et l'autre à Murdochville) pour retransmettre les émissions radiophoniques du réseau anglais. La société envisageait dès que les moyens financiers mis à sa disposition le lui permettraient, de remplacer celle de Gaspé par une station d'une puissance relativement élevée. Par ailleurs, des stations privées à Campbellton et Bathurst diffusaient des émissions en anglais qui étaient toutefois surtout destinées aux auditeurs du Nouveau-Brunswick.

Selon le Commissaire, il n'y avait pas eu infraction à la Loi sur les langues officielles.

• Un francophone, membre d'un organisme composé de représentants des deux groupes linguistiques, déplore le fait que la société n'ait

de pouvoir porter de 40 à 1 000 W la puissance de ses émetteurs-relais et d'étendre ainsi le territoire desservi actuellement.

La Société Radio-Canada a également fait part de son intention de demander l'implantation à Port-au-Port d'un réémetteur MF qui assurerait la retransmission dans la région Stephenville-Lourdes de Terre-Neuve; la société espérait que le C.R.T.C. étudierait cette demande à l'une de ses audiences de l'automne 1972. Par la suite, le Commissaire fut informé qu'il faudrait, pour cela, attendre au moins jusqu'en décembre 1973.

Les projets de l'extension rapide du territoire desservi par Radio-Canada prévoyaient également l'installation d'une station de radio en langue française à Saint-Jean (T.-N.), mais l'ordre de priorité n'ayant pas été encore établi, la société ne savait pas quand commenceraient les travaux.

#### *Dossier n° 796—A l'île-du-Prince-Edouard*

Un plaignant déplore le fait qu'il est pratiquement impossible à Charlottetown de capter les émissions de radio et de télévision en français émanant de Moncton.

Au mois de mai 1972, la société a informé le Commissaire que l'un de ses plans à long terme prévoyait la création de stations de radio et de télévision en langue française dans toutes les capitales provinciales. Ces stations serviront, par la suite, de centres de diffusion pour les nouvelles régionales et les émissions d'affaires publiques susceptibles d'intéresser d'autres régions dans ces provinces.

La société a ajouté qu'elle réalisait progressivement ce plan en fonction des crédits qui lui étaient octroyés et de l'importance de la population à desservir. Elle a de plus signalé que son programme accélééré de rayonnement annoncé par le gouvernement dans le discours du Trône du 17 février 1972 prévoyait la création d'une station de radio et de télévision en français à Charlottetown. Au mois d'octobre 1973, la société a fait savoir au Commissaire qu'elle ne pouvait lui donner plus de précisions à ce sujet car le Cabinet n'avait pas encore pris de décision.

#### *Dossiers nos 719, 1236—Au Nouveau-Brunswick*

• Un anglophone se plaint que les annonceurs anglophones du réseau de télévision anglais de Radio-Canada écorchent les noms français, ce qu'il juge blessant pour la population francophone de Moncton. La Société Radio-Canada a fait savoir qu'elle exigeait de ses annonceurs, même unilingues, une prononciation correcte des noms de lieu et de famille communément employés dans d'autres langues et

se pencher de nouveau sur cette question primordiale pour les différents tiers groupes du Canada.

Quant aux autres plaintes concernant la société, elles étaient très variées (affiches unilingues, absence de service téléphonique en français, documents en anglais envoyés à des francophones, etc.). Dans tous ces cas, la société s'est efforcée, à la suite de l'intervention du Commissaire, de corriger la situation dans les plus brefs délais.

Le 15 octobre 1973, le Commissaire a envoyé à Radio-Canada, comme à 19 autres institutions fédérales, un questionnaire concernant l'application de la Loi sur les langues officielles. Dans sa réponse, datée du 22 janvier 1974, Radio-Canada a exposé l'état du bilinguisme dans les cinq grands secteurs de son administration : le siège social, la division des services français, la division des services anglais, la zone d'Ottawa et enfin les services spéciaux responsables de Radio-Canada international, des services du Nord et des Forces armées et des relations extérieures et des bureaux à l'étranger. En bref, il existe, selon la société, un bilinguisme institutionnel de bonne qualité dans quatre de ces secteurs. Seule la Division des services anglais éprouve de réelles difficultés à se conformer d'une façon générale aux dispositions de la Loi sur les langues officielles. Toutefois, la société compte élaborer dans un proche avenir divers programmes pour que cette division puisse surmonter de tels obstacles. Radio-Canada a informé le Commissaire que, dans la région de Toronto, plusieurs mesures ont été prises afin que la division des services anglais puisse assurer au public des services dans les deux langues officielles.

## PLAINTES

### 1. Stations de radio et de télévision

*Dossiers nos 819, 820—A Terre-Neuve*

En mars 1972, deux anglophones font remarquer au Commissaire que, à leur avis, une station de radio de langue française est nécessaire à Terre-Neuve pour compléter l'enseignement du français dispensé dans les écoles, étant donné que les élèves entendent rarement parler cette langue en dehors de la salle de classe.

En mai, Radio-Canada a fait savoir au Commissaire que les émetteurs-relais de faible puissance de Labrador City transmettaient déjà aux villes de Labrador City et de Wabush les émissions de radio du réseau français. La société envisageait de déposer une demande au début de 1973 auprès du Conseil de la radio-télévision canadienne afin



Un certain nombre de plaintes en provenance de Winnipeg concernaient la diffusion d'émissions en langues étrangères sur le réseau d'Etat. C'est à cette occasion que Radio-Canada a fait connaître sa politique linguistique. Quoique celle-ci soit conforme à la Loi sur les langues officielles et à la Loi sur la radiodiffusion, le Commissaire a exprimé l'avis qu'elle devrait être moins rigide et permettre dans certains cas la diffusion d'un nombre limité d'émissions en langues étrangères. Le Commissaire a invité Radio-Canada et le gouvernement à

ne recevaient pas encore d'émissions dans leur langue officielle. Conformément aux desirs du gouvernement, la société a préparé un programme accéléré de rayonnement, avec mention de toutes les priorités et de tous les frais, afin d'assurer le service dans ces localités isolées. Ce plan a été mis au point en consultation avec d'autres organismes comme le Secrétariat d'Etat, le Conseil du trésor, le ministère des Communications et le Conseil de la radio-télévision canadienne. Le 14 février 1974, le Secrétaire d'Etat annonçait que le gouvernement venait d'approuver ce plan, et qu'il mobilisait 50 millions de dollars pour sa mise en œuvre sur une période de cinq ans. Le Commissaire se réjouit de cette nouvelle et espère que la société pourra réaliser son plan selon les délais prévus.

*des ressources financières dont elle dispose.*

Au cours des trois premières années, le Commissaire a reçu 177 plaintes, dont environ 75 avaient trait à l'absence d'émissions de télévision en français dans la région de Saint-Paul-Bonnyville-Lac La Biche. Le collaboration de la société au regard de l'ensemble des plaintes a été bonne si l'on tient compte, d'une part, de la nature particulière d'un bon nombre de plaintes contre cette institution et, d'autre part, des ressources financières dont elle dispose.

## APPRECIATION

RADIO-CANADA — « La guerre des boutons »

Le ministère a remercié le Commissaire et déclaré qu'il tiendrait compte de sa suggestion et d'autres qui lui avaient été faites, au cas où il déciderait de publier un calendrier en 1974.

Un francophone de Montréal se plaint des nombreuses fautes dans la version française du dépliant intitulé « Modifications au tarif postal en vigueur le 1<sup>er</sup> juillet 1971 ».

Le ministère a informé le Commissaire de la mise sur pied d'une équipe de réviseurs responsables de la qualité de tous ses imprimés officiels. Le dépliant, publié avant l'établissement d'un tel service, a été révisé complètement.

*Dossier n° 1512—Cachets*

Un plaignant d'Ottawa reçoit d'une association privée une lettre sur laquelle le cachet d'oblitération du courrier de troisième classe utilisé par le ministère n'est pas entièrement bilingue. « Canada Post Office » et « Bulk Third Class » ont un équivalent français contraire-

ment à « Ottawa Post Office », qui apparaît au bas de l'enveloppe.

Le ministère a fait parvenir au Commissaire un exemplaire des cachets mis à la disposition de ses clients pour leur courrier. Tous étaient entièrement bilingues, mais le numéro du permis et le nom du bureau de poste étant apposés par le client, il lui revenait de décider du libellé figurant à la partie inférieure de l'empreinte.

Le Commissaire a communiqué ces précisions au plaignant ajoutant qu'à son avis le ministère ne pourrait contraindre des associations privées non assujetties à la Loi sur les langues officielles à remplir en français et en anglais la partie inférieure de ces cachets.

*Dossier n° 1731—Calendrier*

Un plaignant fait remarquer au Commissaire qu'un calendrier publié par le ministère et distribué gratuitement au public par ses soins omet la Saint-Jean, fête des Canadiens français, dans sa liste des fêtes canadiennes.

Le ministère a précisé que le calendrier ne donnait pas la liste complète de tous les jours fériés et fêtes célébrées au Canada, mais se contentait d'indiquer ceux qui, comme Noël, Pâques, la Fête des Mères et la Fête des Pères, occasionnaient un accroissement de courrier. D'autres jours fériés, tels l'anniversaire de la Reine, la fête provinciale de l'Ontario et la Saint-Jean, avaient été volontairement omis.

Le Commissaire a jugé satisfaisante la réponse du ministère, mais il a suggéré qu'en raison de son importance historique et culturelle, la Saint-Jean soit mentionnée dans les nouvelles éditions du calendrier, ainsi que d'autres fêtes influant peu sur le volume du courrier. Ceci permettrait d'éviter tout malentendu quant à l'attitude du ministère vis-à-vis les Canadiens français et le calendrier n'en serait que plus utile.

Le Commissaire a rapporté ces précisions au plaignant.

d'être encore plus vigilante à l'avenir.

son aide afin de promouvoir leur cause et leurs œuvres. Lors de campagnes de propagande, l'association concernée rédigeait elle-même les textes et la Direction des affaires publiques du ministère les vérifiait ensuite. La Direction s'est excusée de ces erreurs et a souligné qu'il s'en était produit très peu au cours des dernières années. Elle a promis

Le ministère a expliqué que de nombreuses associations sollicitaient un slogan relatif aux enfants handicapés qui apparaît sur une enveloppe postée à Halifax. Le slogan est bien bilingue, mais les quatre mots français utilisés affichent deux fautes de grammaire.

#### *Dossier n° 1003—Slogan*

Il s'agissait en fait d'un permis de stationnement provisoire placé sur le pare-brise à l'intention de la police locale. Le ministère a accepté d'utiliser à l'avenir une vignette bilingue.

• Un plaignant déclare que le pare-brise d'un véhicule du ministère porte une vignette unilingue anglaise.

Le Commissaire a accepté le point de vue du ministère.

en justice.

Le ministère a répondu que ces derniers utilisaient le sigle OHMS pour faire croire au public qu'ils avaient un statut officiel ou semi-officiel. Donner suite à la suggestion du Commissaire reviendrait en fait à sanctionner une pratique illégale. Le ministère a déclaré qu'il mettrait fin à cet usage et qu'il envisageait même d'interdire une action

distribution du courrier.

Toutefois, comme le public associait toujours le sigle OHMS au ministère des Postes, le Commissaire a suggéré à ce dernier d'imprimer des étiquettes bilingues OHMS-SSM et de les remettre ensuite aux sociétés privées et aux propriétaires de véhicules chargés de la

Postes, car ce dernier n'était pas leur employeur.

Comme les personnes et les sociétés impliquées n'étaient pas assujetties à la Loi sur les langues officielles, le Commissaire n'était pas habilité à intervenir officiellement auprès d'elles. Il n'a pu non plus formuler des recommandations officielles à l'intention du ministère des

ministères gouvernementaux pour la distribution du courrier. Interrogé à ce sujet, le propriétaire de l'un des véhicules a déclaré avoir acheté le sigle OHMS dans une quincaillerie et l'avoir apposé sur son pare-brise, sans autorisation de qui que ce soit, afin d'obtenir de la police locale des prérogatives de stationnement.



Le cachet pour rappeler à ses employés d'éviter tout retard dans la distribution de cette classe de courrier. Le ministère a accepté la recommandation du Commissaire et a commandé un cachet bilingue.

• Un plaignant envoie au Commissaire photocopie de la première page d'une brochure ayant trait aux machines à attranchir et attire particulièrement son attention sur un cachet partiellement bilingue où manque l'équivalent français du mot « street ». Deux mois plus tard, la même personne dépose une nouvelle plainte relative cette fois à un cachet unilingue anglais.

Le ministère a déclaré au Commissaire qu'il inventoriait tous les tampons, étiquettes, etc. pouvant occasionner des plaintes et que les deux cachets mentionnés par le plaignant figureraient sur la liste. Une fois l'inventaire terminé, le ministère a informé le Commissaire que sur 981 cachets, 475 étaient déjà bilingues et 101 périmes. Il a commandé des cachets bilingues pour remplacer les 405 qui étaient encore unilingues.

• Un francophone souligne que sur le timbre-poste émis à la mémoire de Mgr François-Xavier de Montmorency-Laval de Montigny, la cédille dans « François » avait été omise.

Dans sa réponse, le ministère a expliqué qu'il avait toujours veillé à respecter l'usage des signes orthographiques dans ses publications et plus particulièrement dans l'émission de timbres-poste.

L'absence de la cédille représentait un cas exceptionnel résultant non d'un oubli mais de l'exiguité du timbre.

Le Commissaire a été pour le moins surpris d'apprendre qu'il n'y avait pas place sur le timbre en question pour une innocente petite cédille. Il a trouvé que c'était faire bien peu d'honneur au prélat que de charcuter son nom sur un timbre émis justement à sa mémoire.

### *Dossiers nos 1246, 1573, 1633, 1762, 1588—Véhicules*

• Plusieurs personnes se plaignent au Commissaire que, dans la région de la capitale nationale, le sigle OHMS apparaît sur le pare-brise d'un certain nombre d'automobiles et de camionnettes sans son équivalent français SSM. Elles croient que ces véhicules appartiennent au ministère, ou que c'est celui-ci qui en fait usage.

Le ministère a répondu qu'après enquête le directeur de la région de l'Est ontarien, laquelle englobait la majeure partie de la région de la capitale nationale, avait constaté qu'aucun des véhicules du ministère n'affichait le sigle OHMS sans son équivalent français. Toutefois, la poursuite de l'enquête a révélé que des propriétaires de véhicules et des sociétés privées avaient conclu des contrats avec différents

mandant la modification du cachet. Le ministre a expliqué qu'il utilisait le Commissaire a porté ce fait à l'attention du ministre en recommandant la modification du cachet. Le ministre a expliqué qu'il utilisait

Le Commissaire a porté ce fait à l'attention du ministre en recommandant la modification du cachet. Le ministre a expliqué qu'il utilisait le Service des expres du ministre sur une lettre destinée à Ottawa.

• Un plaignant proteste contre l'unilinguisme du cachet apposé par le Service des expres du ministre sur une lettre destinée à Ottawa. Le Commissaire a porté ce fait à l'attention du ministre en recommandant la modification du cachet. Le ministre a expliqué qu'il utilisait le Service des expres du ministre sur une lettre destinée à Ottawa.

Le plaignant demande également pourquoi l'anglais précède souvent le français sur de nombreux cachets bilingues utilisés dans la province de Québec. Cette question est traitée au dossier n° 887, pages 405-406.

Le plaignant demande également pourquoi l'anglais précède souvent le français sur de nombreux cachets bilingues utilisés dans la province de Québec. Cette question est traitée au dossier n° 887, pages 405-406.

Le plaignant demande également pourquoi l'anglais précède souvent le français sur de nombreux cachets bilingues utilisés dans la province de Québec. Cette question est traitée au dossier n° 887, pages 405-406.

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• Un plaignant de Québec envoie au Commissaire des échancellions de cachets d'oblitération apposés par le ministère sur les enveloppes

*Dossiers nos 887, 1266—Présence*

Le Commissaire ayant demandé à être informé de la date d'entrée en fonctions du guichetier, le ministère a admis qu'il avait des difficultés à recruter une personne bilingue pour ce poste. Plusieurs mois après, le bureau n'avait toujours aucun employé bilingue.

L'intention de nommer un guichetier bilingue.

Le ministère a reconnu que l'enseignement extérieure était unilingue et l'a remplacée par un écriture bilingue. Il a ajouté qu'il avait également

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Un plaignant signale au Commissaire l'unilinguisme anglais de la succursale postale de Coquitlam tant dans sa signalisation que dans les services au public.

*Dossier n° 1181—En Colombie-Britannique*

Le Commissaire a réitéré le souhait que le ministère s'efforce de doter tous les bureaux de poste de la région d'Edmonton d'une capacité bilingue suffisante pour fournir aux deux groupes linguistiques des services de qualité égale prescrits par la Loi sur les langues officielles. Le ministère a déclaré que, selon les directives du Conseil du trésor, il procédait à l'identification des postes bilingues, tâche qu'il achèverait pour décembre 1973.

Tout en acceptant l'utilisation provisoire de bons de commande bilingues dans certains bureaux de poste d'Edmonton, le Commissaire a déclaré que cette solution ne saurait être retenue à long terme, car elle impliquait une inégalité dans la qualité des services fournis aux deux groupes linguistiques. En effet, les clients anglophones n'avaient qu'à demander ce qu'ils voulaient tandis que les clients francophones devaient se plier à une formalité quelque peu contraignante.

A la suite d'une enquête visant à déterminer dans quelles régions il fallait accroître les effectifs bilingues, le ministère a provisoirement distribué des dictionnaires, des lexiques et des bons de commande bilingues dans certains bureaux de poste de la région de l'Ouest. Selon lui, l'enquête avait démontré la présence de personnel bilingue dans tous les endroits où il était nécessaire de fournir au public des services en français et en anglais. Là où la demande était faible, les clients rem-plissaient des bons de commande bilingues. Le ministère a fait savoir qu'il ne prendrait pas d'autres mesures avant d'avoir pris connaissance de l'enquête menée dans l'ensemble du Canada par le Service des études spéciales du bureau du Commissaire.

demande jusqu'alors latente. C'est pourquoi il recommandait que



• Le plaignant s'inquiète du sort réservé à la désignation « Saint-Boniface » à la suite de la fusion de cette ville avec Winnipeg entraînant la modification des codes postaux.

Comme cette plainte ne mettrait pas en cause l'égalité de statut des deux langues officielles, le Commissaire n'a pu procéder à une instruction formelle. Cependant il a porté officiellement la question à l'attention du ministre.

Le ministre a répondu que la décision de fusionner Saint-Boniface et d'autres municipalités à Winnipeg pour créer une région métropolitaine fut prise à la suite de consultations entre le gouvernement provincial et les municipalités concernées. Le ministre, pour sa part, était dans l'obligation de respecter cette décision et regrettrait ne pouvoir apporter une solution autre que celle d'utiliser sur les tampons la désignation Saint-Boniface — Winnipeg.

• Membre d'une association francophone manitobaine, la plaignante proteste contre l'insuffisance des services bilingues fournis au bureau de poste principal de Winnipeg. Elle demande si le bureau de Saint-Norbert continuera d'offrir, dans les deux langues officielles, la gamme complète des services postaux.

Le ministre a informé le Commissaire et la plaignante que le bureau de poste principal de Winnipeg était en mesure d'assurer au public des services bilingues. Il a ajouté que la population francophone de Saint-Norbert recevrait dans sa propre langue l'ensemble des services postaux.

Le Commissaire s'est déclaré satisfait des assurances données par le ministre.

*Dossier no 721—En Alberta*

Un plaignant signale au Commissaire l'extrême lenteur de la mise sur pied de services en français au bureau de poste principal d'Edmonton, et la quasi-inexistence de tels services dans les régions de Kensington et de Wellington, notamment dans quatre bureaux de poste secondaires.

Sur la foi de statistiques basées sur le recensement de 1961, le ministre a déclaré au Commissaire qu'à son avis la demande de services en français exprimée à Edmonton n'était pas suffisante.

Le Commissaire a répondu que, pour évaluer l'importance de la demande, il fallait prendre en considération les statistiques démographiques mais que celles-ci n'en constituaient cependant pas le seul critère. Il a fait remarquer que les plaintes mêmes en prouvaient l'existence et qu'à sa connaissance, l'offre de services bilingues avait toujours traduit une

Peu de temps après, des représentants du ministère des Postes et deux agents du Service des plaintes du bureau du Commissaire se sont rencontrés afin d'étudier la mise en œuvre de ces recommandations.

De toute évidence, le ministère éprouvait des difficultés à définir les mesures à prendre pour satisfaire aux exigences de la Loi sur les langues officielles dans tous les bureaux de poste, quels qu'ils fussent. En se fondant sur les directives du Conseil du trésor, le ministère élaborait actuellement une ligne directrice et un programme d'action pour l'ensemble du Canada, sur lesquels il comptait obtenir les observations du Commissaire avant de les mettre en application. L'on convint donc que le Service des études spéciales du bureau du Commissaire examinerait les plaintes déjà formulées dans le cadre plus général d'une étude spéciale.

- Des francophones font grief au ministère de ne pas fournir de services en français au bureau de poste de Belle-Rivière, qui comprend une importante population d'expression française.

Le ministère a répondu que l'effectif de ce bureau comprenait un maître de poste, deux adjoints à plein temps et un adjoint à temps partiel. Il a précisé que le maître de poste était bilingue et utilisait les deux langues dans l'exercice de ses fonctions. Il a ajouté qu'en septembre 1972 l'adjoint à temps partiel, qui était bilingue, avait été remplacé par un anglophone unilingue et que le ministère cherchait un adjoint bilingue à plein temps. Lorsque ce poste serait comblé, au moins la moitié du personnel serait bilingue.

Le Commissaire a demandé au ministère de le prévenir lorsque la nomination de l'adjoint bilingue serait chose faite et a ajouté qu'il espérait qu'à ce moment-là le bureau serait en mesure d'offrir au public des services dans les deux langues officielles. Le Commissaire a recommandé au ministère d'émettre une directive rappelant aux employés les exigences de la Loi sur les langues officielles.

Par la suite, le ministère a informé le Commissaire qu'il avait embauché un adjoint à plein temps ayant une assez bonne connaissance de la langue française. Il a ajouté que le maître de poste était conscient de ses obligations découlant de la Loi sur les langues officielles et que le bureau était devenu en mesure de servir le public en tout temps en anglais et en français.

- Un plaignant envoie au Commissaire une photocopie d'une coupure de journal représentant l'enseigne du bureau de poste du 17 de la rue Front à Toronto. Il estime qu'elle ne respecte pas l'égalité de statut des deux langues officielles parce que les caractères du texte anglais sont plus gros que ceux du texte français.

Le ministère a apposé un nouvel écriteau de même typographie pour les textes français et anglais.

Le client dans la langue officielle utilisée par celui-ci, le Commissaire a été saisi d'une autre plainte. Il a donc informé le ministère qu'il ne comprenait pas pourquoi ses directives et ses instructions n'étaient pas suivies, alors que précisément les bureaux de poste de Sudbury disposaient d'effectifs bilingues.

• Le plaignant déclare qu'il est impossible d'obtenir des services en français au bureau de poste de Kirkland Lake, car un seul des vingt-sept employés parle le français. Il ajoute que la population de Kirkland Lake compte 20 p. 100 de francophones.

Cette même personne prétend que les trois employés du bureau de poste sont unilingues anglais à Virginiatown, ville francophone à 75 p. 100, et fait remarquer que l'unique employé du bureau de poste de Kearns est unilingue anglais alors que 60 p. 100 de la population de ce village est francophone.

Un autre plaignant déclare qu'il est impossible d'obtenir des services en français à Matachewan, Larder Lake et Swastika.

Le ministère a précisé au Commissaire que deux des vingt-cinq employés du bureau de Kirkland Lake étaient bilingues et qu'il avait l'intention de porter à 20 p. 100 ses effectifs francophones.

A Virginiatown et à Swastika, la situation était bien telle que les plaignants la décriaient. Le ministère pensait qu'au cours des deux années à venir, le roulement du personnel et les mises à la retraite lui permettraient d'engager un employé bilingue par bureau. D'ici là, les francophones pourraient se servir de bons de commande bilingues.

A Kearns, le bureau de poste était tenu par un receveur unilingue anglais, car au moment de l'attribution de ce poste, aucun candidat bilingue ne répondait aux exigences.

Le ministère jugeait l'unique employé du bureau de Matachewan compétent dans les deux langues, d'autant plus que sa femme, qui était bilingue, le secondait parfois.

Le bureau de Larder Lake comptait trois employés, un maître de poste unilingue anglais et deux adjoints bilingues.

Après instruction de la première plainte, le Commissaire a recommandé que :

1) le bureau de Kirkland Lake soit doté d'un effectif bilingue suffisant pour servir le public dans les deux langues officielles;

2) le bureau de Virginiatown soit doté d'une capacité bilingue afin de servir le public dans les deux langues officielles;

3) le chef du bureau de Kearns suive des cours de français de façon à pouvoir servir le public dans les deux langues officielles.



Malgré les assurances données par le ministère, et après avoir formellement recommandé que le personnel des bureaux de poste serve

la langue officielle de leur choix.

Le ministère a fait savoir au Commissaire qu'il rappellerait à tous les employés unilingues de Sudbury la nécessité de servir les clients dans

la succursale du boulevard Lasalle l'étaient également.

bilingues, de même que le surnuméraire; deux des quatre employés de bureau de la rue Elm, sept des quinze guichetiers à plein temps étaient guichetiers des bureaux de poste de la ville étaient bilingues. Ainsi, au bureaux étaient en mesure de le faire. De fait, plus de la moitié des plaignants n'avaient pas été servis en français étant donné que les Le ministère a répondu qu'il ne comprenait pas pourquoi les parler anglais pour être servis aux bureaux de poste de Sudbury.

• Quatre francophones déclarent au Commissaire qu'il leur faut

*En Ontario*

*Dossiers nos 852, 910, 1262, 1623, 1174, 1433, 1521, 1644, 1617—*

ministère.

instructions. Il a informé le plaignant des mesures prises par le

Le Commissaire, en réponse à sa demande, a reçu copie de ces

afin d'assurer le respect des droits linguistiques du public.

français. Le ministère a donc réitéré ses instructions à tous ses employés bilingues. Il a ajouté que l'un des autres employés suivait un cours de lors de l'incident, le chef du bureau et deux employés sur six étaient Le ministère a fait remarquer que, parmi le personnel de service

le 7 février 1973 à 14 h 30.

glais, et que la dernière fois où il a constaté cet état de choses, c'était grand nombre d'employés de la succursale postale D sont unilingues an-

• Un francophone déclare que, depuis quelque temps déjà, un trop bilingues. Quant à l'avis, il a été remplacé par un document bilingue.

Le ministère a répondu que dorénavant toutes les affiches seraient

de la rue Bessier sont unilingues anglais.

• Un francophone se plaint qu'un avis et une affiche au bureau

adoptées au plus tard le 31 mars 1973, ce qui a été fait.

Le Commissaire a recommandé que les étiquettes bilingues soient

remplacer par des étiquettes bilingues.

disponibles en anglais ou en français. Le ministère s'est engagé à les L'instruction du Commissaire a révélé que les étiquettes étaient

du bureau d'Alta Vista sont unilingues anglaises.

• Un francophone se plaint que les étiquettes sur les sacs postaux

• Une personne se plaint de ne pouvoir se faire servir en français au sous-bureau de poste du centre commercial Westgate. Le ministère a déclaré que ce sous-bureau était situé dans un établissement administré par un particulier. Ce dernier, lié par contrat avec le ministère, a assuré celui-ci que la clientèle francophone pouvait obtenir des services en français grâce à la présence d'une personne bilingue.

Le ministère a reconnu qu'il serait équitable que chaque sous-bureau de poste soit doté de personnel bilingue mais il a déclaré qu'il ne pouvait l'exiger aux termes des contrats en vigueur. Afin de contourner cette difficulté, le Commissaire a recommandé au ministère de réviser les contrats afin de tenir compte des exigences de la Loi sur les langues officielles. Le ministère, conformément à l'article 1 (6) de ses contrats, a demandé aux responsables des sous-bureaux de poste de la région de la capitale nationale de mettre à la disposition du public une personne apte à assurer le service dans les deux langues officielles.

• Le plaignant signale au Commissaire que le bureau de poste d'Alta Vista n'offre pas de services dans les deux langues officielles en tout temps et ne s'identifie pas dans les deux langues officielles au téléphone. Le ministère a répondu qu'à ce bureau quatre des huit employés étaient bilingues et qu'il veillait à ce qu'il y ait toujours un employé bilingue. Cependant, le ministère a reconnu qu'il arrivait parfois que, pour des raisons imprévues, aucun bilingue n'était de service.

Le Commissaire a recommandé que le ministère assure en tout temps, par une répartition plus judicieuse de son personnel, des services dans les deux langues officielles. Quant à l'identification bilingue au téléphone, le ministère a rappelé aux employés l'obligation de répondre aux appels dans les deux langues officielles afin d'éviter la répétition de tels incidents.

• Un plaignant rapporte qu'il n'a pu le 27 juillet 1972 obtenir au bureau de la rue Besserer la version française de la formule 79-14-506.

Le ministère a informé le Commissaire qu'il avait émis des directives à l'intention de tous ses directeurs de bureaux les enjoignant de veiller à ce que tous les documents mis à la disposition du public soient bilingues.

En octobre de la même année, le plaignant signale au Commissaire que la même formule n'est toujours pas disponible en français. Le Commissaire a alors demandé au ministère de lui confirmer que la formule avait bel et bien été traduite et de lui en faire parvenir un exemplaire. Deux mois plus tard, le Commissaire en recevait une copie rédigée dans les deux langues officielles.

- Le Commissaire a recommandé au ministre de remédier à cette situation et de faire en sorte que des services dans les deux langues officielles soient assurés en tout temps.
- Le ministre a accepté la recommandation du Commissaire et l'a assuré que le public était désormais servi dans la langue officielle de son choix.
- Un francophone de Montréal fait grief au ministre de faire des annotations en anglais (i.e. « call for ») sur les enveloppes qui lui sont adressées.
  - Le ministre a informé le Commissaire qu'on utilisait habituellement des formules abrégées afin de réduire au minimum la période de manutention du courrier. Il a cependant demandé aux employés d'inscrire les annotations en français lorsque le courrier était destiné à des francophones. Le surintendant des succursales postales de Montréal devait transmettre une directive en ce sens au personnel.
  - Un francophone constate que le bureau de poste de Beauharnois emploie un tampon unilingue anglais sur le courrier insuffisamment affranchi.
  - Le ministre a reconnu le bien-fondé de la plainte et a corrigé la situation.
- Dossiers nos 503, 720, 751, 995, 1175, 1358, 1665, 1711, 1700—A*
- Ottawa*
- Le plaignant ne peut en octobre 1971 se faire servir en français au bureau de poste à l'angle des rues Slater et Metcalfe. Pourtant, on y donnait auparavant un service bilingue.
  - Le ministre a informé le Commissaire que ce bureau, fermé en février 1972, faisait partie d'un établissement commercial. Le propriétaire était responsable des services postaux et avait assuré le ministre que la clientèle francophone pouvait obtenir des services en français par l'intermédiaire de commis bilingues.
  - Le ministre a reconnu qu'il aurait été préférable pour le propriétaire d'engager une assistante bilingue mais il a ajouté qu'il ne pouvait le forcer à le faire aux termes des contrats en vigueur.
  - Le Commissaire a recommandé au ministre de réviser les contrats avec les sous-bureaux pour que ceux-ci respectent la Loi sur les langues officielles.
  - Une association francophone d'Ottawa reçoit du ministre une lettre rédigée en anglais.
  - Le ministre a informé le Commissaire qu'il s'agissait d'une erreur involontaire puisque sa pratique était de toujours répondre à ses correspondants dans la langue officielle de leur choix.



avantagusement le bon de commande là où la demande de services dans l'une des deux langues officielles n'était pas importante. Le Commissaire a rappelé également au ministre les recommandations qu'il avait faites à la suite d'une étude spéciale entreprise par son bureau sur les services postaux à Moncton, surtout la recommandation n° 4 qui suggérait que, sans porter atteinte à la sécurité d'emploi des guichetiers, le ministre prenne toutes les mesures nécessaires pour que ceux-ci soient en mesure d'assurer les services dans les deux langues officielles avant le 30 septembre 1973.

Le ministre a répondu qu'il utiliserait le bon de commande bilingue à Moncton jusqu'à ce que ses programmes de formation et de recrutement lui permettent d'augmenter le nombre de guichetiers bilingues.

Le Commissaire a de nouveau communiqué avec le ministre lui rappelant que l'emploi du bon de commande à Moncton constituait une contravention à la Loi sur les langues officielles, même s'il ne s'agissait que d'une mesure temporaire. Le Commissaire a alors recommandé au ministre de retirer le bon de commande aussitôt que sa recommandation n° 4 serait appliquée.

Par la suite, le ministre a informé le Commissaire qu'il avait augmenté les effectifs bilingues au bureau de Moncton tout en reconnaissant qu'ils étaient insuffisants pour répondre d'un façon équitable à la demande. Par contre, ce bureau continuait d'utiliser les bons de commande bilingues.

#### *Dossiers nos 842, 870, 874, 1108—Au Québec*

• Une personne se plaint au Commissaire qu'il est impossible de recevoir des services satisfaisants en anglais dans deux bureaux de poste de Sainte-Thérèse.

Le ministre a répondu qu'un employé chevronné était en service à l'un de ces bureaux et qu'il connaissait suffisamment l'anglais pour servir les clients anglophones, même s'il n'était pas parfaitement bilingue. Le Commissaire a conclu qu'il n'y avait pas eu infraction à la loi. L'autre bureau de poste a fermé ses portes en novembre 1971.

• Un citoyen fait grief au ministre de n'avoir pu obtenir de services en français à l'heure du déjeuner au bureau de poste de Gracefield. Le ministre a informé le Commissaire que trois des quatre employés étaient bilingues; le quatrième éprouvait des difficultés à s'exprimer en français et ne travaillait que neuf heures par semaine. Le ministre a précisé que ce dernier remplaçait le maître de poste ou son adjoint lorsqu'ils s'absentaient. Au moment de l'incident, cette personne remplaçait précisément l'adjoint du maître de poste.

Quant aux écritureaux, le ministère a procédé à un relevé de ceux-ci dans tous ses bureaux du Nouveau-Brunswick. Par la suite, le ministère des Travaux publics a lancé un appel d'offres pour la confection de 107 écritureaux bilingues. Leur installation devait être effectuée avant la fin de mars 1973.

Au sujet de la succursale postale « A », le ministère a indiqué que trois fonctionnaires y travaillaient, dont deux étaient bilingues. Habituellement, il y avait au moins un des employés bilingues sur place et le ministère a regretté que la plaignante n'ait pu obtenir de services en français.

Le Commissaire a recommandé de faire en sorte que la relève du personnel permette en tout temps au bureau de fournir des services dans les deux langues officielles.

Relativement aux services postaux de la rue Reid, le ministère a signalé qu'ils sont fournis dans un magasin appartenant à un particulier. Le Commissaire a recommandé que les ententes passées avec des particuliers tiennent compte des exigences de la Loi sur les langues officielles.

• Des plaignants signalent que seules des inscriptions en anglais figurent sur les écritureaux à l'extérieur et à l'intérieur d'un bureau de poste de Bathurst.

Le ministère a informé le Commissaire que, pour rectifier la situation, il avait commandé des écritureaux français. Il a ajouté qu'il procédait à une revue de tous les bureaux de poste du Nouveau-Brunswick et de l'Île-du-Prince-Édouard afin de vérifier si d'autres écritureaux présentaient les mêmes lacunes.

• Des francophones signalent que des boîtes aux lettres et des casiers postaux dans la région de Moncton portent des inscriptions unilingues anglaises.

Le ministère a admis que les inscriptions sur les boîtes aux lettres installées le long des routes 1 et 5 étaient unilingues et a indiqué au Commissaire que les mesures nécessaires avaient été prises pour rectifier la situation. Quant aux inscriptions sur les casiers postaux dans la région de Moncton, le ministère mettait sur pied un programme visant à les rendre bilingues.

• Une francophone envoie au Commissaire un bon de commande bilingue que lui a remis un bureau de poste de Moncton en soulignant qu'il n'y a apparemment à ce bureau aucun employé qui peut s'exprimer en français.

Le Commissaire a souligné que le ministère, dans des endroits comme Moncton, avait l'obligation, selon la loi, d'assurer au public des services en français et en anglais. Il a ajouté qu'on pourrait utiliser

soit en mesure d'expliquer au demandeur, dans la langue employée par ce dernier, que son appel est transmis à un autre employé apte à lui offrir des services dans la langue voulue;

(8) que le ministère revoie les termes des contrats qu'il passe avec les maîtres de poste des bureaux auxiliaires de Moncton, et qu'il s'assure que ces derniers sont en mesure de donner des services au public dans les deux langues officielles d'ici le 31 décembre 1973;

(9) que tous les panneaux, inscriptions et insignes utilisés par le ministère des Postes à Moncton soient rendus bilingues d'ici le 31 mars 1973;

(10) que le bureau de poste de Moncton fasse des efforts soutenus en vue de recruter du personnel bilingue pour tous les postes entraînant des rapports avec le public, afin de satisfaire aux exigences de la Loi sur les langues officielles;

(11) que le ministère des Postes donne, à tous les employés qui occupent des postes comportant des relations avec le public au bureau de poste de Moncton, l'occasion de suivre des cours de langues et ceci dans les meilleurs délais.

## PLAINTES

*Dossier n° 1255—A l'île-du-Prince-Édouard*

Un plaignant au nom manifestement anglais reçoit par la poste un dépliant publicitaire entièrement rédigé en français annonçant l'émission par le ministère de nouvelles cartes postales.

Le ministère a reconnu qu'il y avait eu maladresse et a vérifié si les bureaux de poste de l'Île-du-Prince-Édouard avaient bien reçu des directives sur la distribution de dépliants dans la langue officielle du client et s'ils les appliquaient correctement.

*Dossiers n°s 771, 875, 929, 1182, 1225, 1548—Au Nouveau-Brunswick*

• Une francophone rapporte que dans deux bureaux de poste de Moncton, soit la succursale postale « A » et le bureau de la rue Reid, les formules de déclaration d'impôt ne sont pas disponibles en français, certains des écrans sont unilingues anglais et le service n'est pas fourni en français.

En ce qui concerne les formules de déclaration d'impôt qu'on trouve normalement dans les bureaux de poste au début de chaque nouvelle année, le ministère a attiré l'attention du Commissaire sur une directive enjoignant les directeurs régionaux de s'assurer que tous les bureaux mettent à la disposition du public les formules qui leur sont envoyées et qu'ils se réapprovisionnent au besoin.



Conditions), qui tient lieu de contrat entre les maîtres de poste des bureaux auxiliaires et le bureau principal, ne contenait aucune clause de prestation de services bilingues. L'équipe a remarqué l'unilinguisme anglais qui caractérisait l'indicatif et le service téléphoniques sur la ligne de l'« administration ».

En raison d'un faible roulement du personnel au cours d'une année, le recrutement est très limité. Par le passé, on s'était contenté d'exiger le bilinguisme aux deux postes officiellement désignés bilingues, celui de maître de poste et celui de commis aux renseignements. Bien que certains responsables du bureau de poste aient fait remarquer que les conventions collectives passées avec les syndicats des employés compliquaient l'embauchage pour certains postes de relations avec le public (aux guichets ou pour la distribution du courrier), l'équipe a conclu qu'il fallait chercher davantage à se doter d'une capacité bilingue satisfaisante lors de l'embauchage des commis et des facteurs.

Enfin, on a remarqué au cours de l'étude qu'un seul employé s'était inscrit à des cours de langue seconde, ce qui indiquait que le bureau de poste ne semblait pas avoir tiré parti des installations d'enseignement des langues existant dans la région de l'Atlantique.

En conséquence de quoi le Commissaire a formulé les recommandations suivantes :

(1) que le ministère communique au bureau de poste de Moncton des directives précises sur la mise en vigueur de la Loi sur les langues officielles d'ici le 31 décembre 1972;

(2) que tous les imprimés destinés au public et publiés à l'Administration centrale du ministère ou aux échelons régional, de district ou local soient disponibles dans les deux langues officielles, au bureau de poste de Moncton, d'ici le 31 décembre 1972;

(3) que tous les timbres unilingues employés au bureau de poste de Moncton pour usage externe soient remplacés par des timbres bilingues d'ici le 31 décembre 1972;

(4) que, sans porter atteinte à la sécurité d'emploi des titulaires actuels des postes de guichet, le ministère prenne toutes les mesures utiles pour que les services disponibles aux guichets des bureaux de poste de Moncton soient offerts dans les deux langues officielles d'ici le 30 septembre 1973;

(5) que, sans porter atteinte à la sécurité d'emploi des titulaires actuels, le ministère prenne les mesures utiles pour que tous les facteurs, affectés aux itinéraires de Moncton qui requièrent des capacités bilingues, soient en mesure d'offrir au public des services dans les deux langues officielles d'ici le 31 mars 1975;

(6) que, dorénavant, tous les employés qui répondent aux appels émanant du grand public identifient le bureau de poste de Moncton en anglais et en français;

(7) que, dorénavant, au bureau de poste de Moncton, toute personne répondant aux appels du public et qui ne parle qu'une des langues officielles

- (c) que le ministère veille en outre à ce que tous les organes d'information des deux langues officielles se fasse offrir de la publicité ou des textes d'information, pour que les groupes des deux langues officielles soient également informés;
- (15) (a) que le ministère soit identifié dans les deux langues officielles au téléphone dans tout bureau lorsque la région desservie par ce bureau renferme un groupe minoritaire parlant l'une ou l'autre des langues officielles; (b) quand de plus amples renseignements qu'à 15(a) sont requis par l'interlocuteur, que la personne répondant au téléphone se fasse, si elle est unilingue, enseigner quelques phrases courtoises dans l'autre langue officielle conçues pour faire attendre l'interlocuteur jusqu'à ce qu'une personne bilingue puisse prendre la communication;
- (16) que la mise en œuvre des recommandations énoncées dans le présent document soit conçue et réalisée sans compromettre la sécurité d'emploi ou les chances d'avancement du personnel du ministère;
- (17) en outre, que dans la mise en œuvre des recommandations précédentes, le ministère maintienne une liaison et des consultations étroites avec les syndicats de ses employés.

## ETUDE SPÉCIALE — MONCTON

En juin 1972, le bureau du Commissaire a entrepris une étude du bureau de poste de Moncton afin d'évaluer son aptitude à fournir au public ses services dans les deux langues officielles.

L'équipe chargée de l'étude a constaté que le bureau de poste de Moncton n'avait aucune difficulté à fournir au public certains services dans les deux langues officielles. Ainsi, tous les formulaires postaux étaient bilingues, de même que les formulaires des autres ministères fédéraux distribués au public par le bureau. La documentation et tous les imprimés, sauf un réalisé à Moncton, étaient publiés dans les deux langues.

L'équipe a néanmoins décelé quelques graves faiblesses dans la prestation de certains autres services essentiels. La plupart des postes stratégiques de relations avec le public étaient insuffisamment dotés en personnel bilingue et, la répartition du personnel bilingue, inefficace.

Le bureau de poste de Moncton employait 315 personnes, dont 312 au bureau principal et trois à la succursale postale « A ». Un grand nombre de ces employés avaient souvent affaire au public; or, sur 18 guichetiers en contact constant avec la clientèle, deux seulement pouvaient travailler dans les deux langues officielles; la moitié des facteurs et cinq des douze maîtres de poste auxiliaires étaient bilingues. À cet égard, il convient de noter que la liste des conditions (Memorandum of

- (b) que le ministère prenne toutes les mesures possibles :
- (i) pour assurer que les cours de langues française et anglaise sont rendus disponibles par l'entremise des services répétés de cours de langues offerts par les secteurs gouvernemental et privé à travers le pays;
- (ii) pour assurer que les divers niveaux de gestion rendent de tels cours de langues disponibles aux employés occupant actuellement des postes en contact avec le public et à ceux qui vont ou peuvent un jour occuper de tels postes, sur une base de haute priorité, à n'importe quelle condition, pourvu qu'elle soit fortement de nature à obtenir des résultats, que ce soit pendant ses heures de travail du ministère et à ses frais, ou après les heures de travail et avec des incitations appropriées ou à n'importe quel amalgame de ces conditions, y compris le soin de bien trouver des remplaçants temporaires;
- (c) qu'en plus d'un programme systématiquement élaboré de cours de langues, le ministère établisse un programme soutenu de perfectionnement pour les employés à tous les niveaux, grâce à des moniteurs, des aides audio-visuels, des séances officielles, des mutations entre les districts, entre les régions, ou à l'échelle nationale chaque fois que c'est possible, et par tout autre moyen approprié;
- (13) que le ministère prenne toutes les mesures :
- (a) pour déterminer le niveau d'aide au moyen de la traduction, y compris celle pour la correspondance, requis au palier de région ou de district, en veillant à ce que le service donné au public ne souffre pas de retards injustifiés causés par un manque de facilités dans l'une ou l'autre des langues officielles;
- (b) pour rendre ce service disponible par l'administration centrale ou par des facilités de l'extérieur, ou en conjuguant les deux;
- (Le personnel de soutien ou les autres employés qui ne sont pas des traducteurs formés et reconnus ne devraient pas être appelés ou poussés indirectement à faire de la traduction, par respect du principe de l'égalité de la qualité des deux langues officielles, et en se souvenant que la traduction actuellement faite par des employés réguliers peut, si elle viole ce principe, constituer une infraction à la Loi sur les langues officielles.)
- (14) (a) que le ministère prenne des mesures immédiates pour rendre bilingues aussitôt que possible :
- (i) tous les échelons extérieurs d'identification qui sont encore unilingues, dans les diverses régions du Canada;
- (ii) tous les échelons de direction et d'information qui sont encore unilingues, y compris les tableaux indicateurs et autres, dans les régions où le public a accès à l'intérieur et autour des bureaux servant les deux groupes qui parlent une des langues officielles;
- (iii) tous les imprimés encore unilingues à l'usage du public, y compris les cartes de visite, les inscriptions dans les annuaires téléphoniques, les étiquettes, les inscriptions gommées, les tampons, les avis, les affiches, les bulletins, les inscriptions sur les camions, les boîtes aux lettres, les distributeurs automatiques, les uniformes, etc.
- (b) et veille à ce que dans les bureaux desservant les groupes des deux langues officielles, tout le matériel du ministère et d'ailleurs, destiné à la vue du public, soit étalé dans les deux langues;



- (6) que l'administration centrale assure l'application efficace de la loi; ou des districts, responsables de l'obtention de résultats souhaités et opportuns;
- (b) en mettant un budget distinct et un supplément de main-d'œuvre à la disposition des régions ou des districts aux fins de la loi au moins jusqu'au jour où la loi sera pleinement mise en œuvre et où son application sera une partie intégrante de l'ensemble de l'administration et des opérations du ministère;
- (c) en prenant les mesures nécessaires pour que les résultats des épreuves de connaissance de la langue seconde auxquelles les employés sont soumis soient mis à la disposition des divisions de la main-d'œuvre au palier des districts pour leur permettre, à elles et aux coordonnateurs, d'incorporer le facteur linguistique dans leurs activités d'utilisation de la main-d'œuvre;
- (7) que l'administration centrale institue une méthode systématique de révision et d'appréciation périodiques pour déterminer dans quelle mesure ses objectifs sont en voie de réalisation et pour évaluer l'efficacité de ses plans d'action relativement à ses objectifs;
- (8) qu'un dossier de roulement annuel des employés soit tenu par le service du personnel au niveau de la disposition du coordonnateur en linguisme pour qu'il soit mis à la disposition du district de la façon appropriée et qu'il assure l'efficacité des prévisions, des plans et du programme touchant à l'effectif net de la main-d'œuvre linguistique requise;
- (9) que pour associer sa réputation de bilingue auprès du public le ministère lui fasse connaître sa capacité de le servir dans les deux langues officielles partout où cette capacité est maintenant raisonnablement adéquate, et ailleurs dès que cette capacité sera acquise;
- (10) que le ministère utilise au mieux son personnel unilingue et bilingue en mutant, au besoin, les bilingues capables et acceptant de se déplacer, et en les remplaçant par des unilingues quand les fonctions en cause peuvent être exercées avec une égale efficacité en une langue seulement, en défrayant le déménagement de la famille, au besoin, et en fournissant des incitations appropriées pour que ces déplacements soient avantageux de part et d'autre;
- (11) que l'administration centrale insère une clause de service bilingue dans les contrats réguliers et les ententes à l'amiable avec ceux qui servent le public, pour son compte, à savoir : les bureaux de poste et les facteurs bureaux de poste à commission, les courriers de la poste et les facteurs ruraux, quand la région desservie comprend un groupe minoritaire parlant l'une ou l'autre des deux langues officielles; une telle clause devrait être assés complète pour couvrir aussi tout service fourni par de telles personnes agissant à titre de sous-traitants; que dans le cas des contrats et ententes dont le renouvellement ne sera pas échu avant plusieurs mois ou plusieurs années, des mesures provisoires soient prises pour assurer la disponibilité du service bilingue dans l'intervalle;
- (12) (a) que le ministère envisage sérieusement de faire des cours de langue, aux niveaux appropriés de connaissance et de contenu, une partie intégrante du programme général de formation à l'emploi;

bilingue, en faisant la distinction entre le service sur demande et le service offert automatiquement, le niveau de compétence linguistique requis pour différentes activités comportant des contacts avec le public, l'importance du bilinguisme sous les aspects audio-visuels du service au public et les nombreuses autres exigences essentielles de la loi;

(3) que l'administration centrale prépare et lance, dès que possible, une explication en profondeur assortie d'un programme d'information touchant aux obligations du ministère aux termes de la Loi sur les langues officielles, à l'intention de ses employés à tous les niveaux, mais surtout des responsables de l'application de la loi, et de ceux qui directement ou indirectement servent le public;

(4) que pour en arriver à la ligne de conduite projetée et requise pour respecter intégralement la loi, le ministère détermine :

(a) le nombre des unilingues parlant le français ou l'anglais et des bilingues fonctionnels, ainsi que le niveau de connaissance de la langue seconde de ceux-ci actuellement affectés à chaque activité en contact avec le public, à chaque bureau de poste régulier, auxiliaire et à commission, où il y a un groupe minoritaire parlant l'une des deux langues officielles dans la région servie par le bureau;

(b) le nombre d'unilingues parlant le français ou l'anglais, et des bilingues fonctionnels, — et, dans le cas de ces derniers, le niveau de connaissance de la langue seconde — qu'il faut pour servir le public automatiquement et de façon satisfaisante, par chaque activité comportant des contacts avec le public, à chaque bureau de poste, comme au paragraphe (a);

(c) le nombre d'unilingues parlant le français ou l'anglais, et des employés bilingues possédant le niveau requis de connaissance, par chaque activité au paragraphe (a), qui doivent être produits par le recrutement, la répartition, les cours de langues ou une combinaison de ces méthodes, pour combler l'écart entre (a) et (b) dans un avenir prévisible;

(5) en déterminant 4(b) le ministère devrait remplacer sa façon actuelle de déterminer ses besoins en personnel unilingue et bilingue sur la base surtout des districts bilingues, des pourcentages de population et de minima numériques, par une méthode qui reflète plus clairement la demande éventuelle représentée par :

(a) le groupe minoritaire parlant l'une ou l'autre des langues officielles habitant la région desservie;

(b) la réaction de ce groupe quand le service lui est offert automatiquement dans sa langue;

(c) les exigences de la loi touchant aux voyageurs, y compris les travailleurs itinérants, et visant :

(i) tous les employés de contact public primaire et secondaire, à savoir : les commis postaux, les facteurs, les courtiers de la poste, les facteurs ruraux, les maîtres de poste, les maîtres de poste adjoints, les surveillants, les secrétaires et d'autres à un palier de contact avec le public;

(ii) le nombre d'employés qualifiés unilingues ou bilingues, réguliers et autres, qu'il faut pour servir ces régions tout au long de la journée de travail, et la répartition la plus efficace de ce personnel entre les secteurs en contact avec le public, sur la base de la totalité ou d'une partie des paragraphes 1, 2 ou 3 ci-dessus;

complexe de veiller à l'application effective de la loi au sein de toute l'institution. En vertu du programme « Nouvelle Image », nombre d'éléments du service au public, restés jusqu'alors unilingues (signalisation, inscriptions, imprimés et autres objets exposés au regard), avaient été « bilingués » ou étaient en voie de l'être, aucune date limite n'ayant cependant été fixée pour la « bilinguisation » intégrale de tous ces éléments visuels. Il était pourtant possible, avec un minimum d'efforts et dans les plus brefs délais, de réaliser, en guise d'objectif à court terme, un tel programme.

De même, il aurait fallu mieux structurer le soutien logistique, notamment la traduction et les cours de langue, ainsi que le maintien de l'acquis, et mettre en chantier un plan rationnel de développement de ces services.

Comme la plupart des agents en contact avec le public sont syndiqués, un gros travail de préparation et de consultation devrait précéder toute tentative vraiment sérieuse de planification des effectifs. Dans le même ordre d'idées, il fallait réviser les accords officiels et les aménagements tacites conclus avec les employés des petits bureaux de poste et des réseaux de distribution, pour en arriver à un accord visant à assurer au public la prestation de services dans l'une ou l'autre langue. Mais toute entente administrative avec les employés devrait résulter de consultations avec les syndicats et tenir dûment compte de la sécurité d'emploi et des droits acquis par les employés.

La principale conclusion qui se dégage de cette étude est donc qu'en dépit des quelques succès et progrès enregistrés par le ministère dans l'application de la loi, il lui restait énormément à faire pour s'y conformer intégralement. Il ressortait en effet clairement des résultats de l'enquête que, pour y parvenir dans un avenir proche, le ministère devrait s'atteler à la tâche bien plus systématiquement et rationnellement que par le passé.

Le Commissaire a formulé les recommandations suivantes :

(1) (a) que l'administration centrale fixe, pour le ministère, des que possible, des objectifs à court terme et à long terme, nettement définis qui reflètent pleinement la lettre aussi bien que l'esprit de la loi et l'intention du législateur, objectifs assortis d'un échéancier partout où c'est possible;

(b) que la responsabilité ultime de lancer un programme de mise en œuvre, de mettre au point des plans d'approche, d'instaurer un travail d'équipe entre l'administration centrale et ses services administratifs, de donner une orientation commune à la conception et à l'application du programme, et d'intégrer les objectifs des sections avec ceux du ministère dans son ensemble, soit assumée par le comité consultatif du ministère;

(2) que l'administration centrale communique, de façon complète et précise, à ses services administratifs appropriés, pour assurer une compréhension commune et une uniformité d'approche, des directives sur la façon d'envisager la demande, d'établir un niveau suffisant et satisfaisant de service



Depuis des années, le ministère des Postes attendait qu'un organe central du gouvernement lui définisse clairement la marche à suivre pour la mise en œuvre d'un programme linguistique. Une telle directive se faisant toujours attendre, il a résolu de mettre en pratique son propre projet de bilinguisme pour assurer la prestation de services dans les deux langues à sa clientèle.

En dépit de leur caractère limité et des problèmes soulevés, les résultats obtenus par le ministère (prestation d'un minimum de services bilingues dans les régions où la minorité linguistique représente au moins 10 p. 100 de la population, et « bilinguisation » des services *les plus en évidence*) sont à mettre à l'actif de la direction, qui s'est montrée favorable à l'application de la loi, et attribuables à la nomination d'un conseiller en bilinguisme, au lancement du programme « Nouvelle Image », à l'instauration de cours de langue et aux consultations préparatoires qui ont abouti à des accords avec les associations d'employés.

Les enquêteurs du bureau ont également découvert que les autres programmes du ministère étaient assujettis à la « gestion par objectifs ». Malheureusement, les principes et techniques mis en œuvre à cette occasion ne servent guère la loi. Ce dont le ministère avait besoin, c'était d'élaborer une déclaration de principes exhaustive, de se fixer des objectifs précis à court et long termes assortis le cas échéant d'un calendrier d'exécution raisonnable et, enfin, d'assigner au comité de la direction la responsabilité finale de tout le programme ministériel car les enquêteurs ont, par exemple, noté l'absence totale de directives destinées à transcrire les prescriptions de la loi, et particulièrement les exigences relatives à la prestation de service, en termes administratifs. Or, faute de telles directives, les divergences d'interprétation quant aux obligations imposées au ministère par la loi étaient pratiquement inévitables, et il y avait peu de chances, en l'occurrence, que les divers services administratifs puissent œuvrer efficacement à la réalisation d'un but commun. Il n'existait, en outre, aucun programme cohérent et structuré d'information des employés et de la direction, quoique l'enquête ait fait ressortir le caractère indispensable d'un tel programme si l'on veut que l'application de la loi repose sur une base solide.

Par ailleurs, il fallait se pencher davantage sur les mécanismes essentiels de planification et d'exécution, et notamment connaître précisément les ressources actuelles tant totales que bilingues, prévoir les besoins à venir, établir des plans pour y faire face, étudier les résultats des examens de langue seconde, prendre les dispositions budgétaires adéquates, accroître les moyens humains, nommer des coordonnateurs du bilinguisme et mettre en place des systèmes d'évaluation et de contrôle. C'est à des personnes d'expérience et extrêmement compétentes en administration et gestion que devrait être confiée la tâche fort

connaissances linguistiques des employés de ce bureau. Conformément aux nouvelles directives du Conseil du trésor, le ministère « identifiera » et « désignera » comme bilingues un certain nombre de postes, ce qui lui permettra, espère-t-il, de se conformer à la loi. Néanmoins, même si la nouvelle attitude du ministère est positive et laisse présager un respect des exigences de la loi, le Commissaire n'a aucune garantie que le service actuel y est offert dans les deux langues officielles. Afin d'obtenir de meilleurs résultats, il croit que le ministère devrait exercer plus de contrôle sur l'application de ses directives au niveau local. L'organisme pourrait ainsi s'assurer que le public reçoit un service prompt et courtois dans la langue officielle de son choix.

## ETUDE SPECIALE

Le Bureau du Commissaire a décidé de procéder à cette étude en raison de l'ampleur des rapports de l'organisme concerné avec le public, de l'extrême importance des services qu'il est chargé de fournir et du nombre de plaintes dont il fait l'objet. La clientèle du ministère englobe la population sédentaire, les gens de passage et les travailleurs itinérants en quête d'emploi d'un bout à l'autre du Canada à divers moments de l'année. La prestation de services au public est essentiellement du ressort des guichetiers, facteurs, courtiers des services postaux et facteurs ruraux, mais dans les petits bureaux de poste (bureaux à commission et recettes secondaires), le maître de poste est le seul employé ayant affaire à la population.

L'étude a révélé que la direction du ministère était, dans l'ensemble, favorable à la Loi sur les langues officielles, mais qu'il y avait loin de la coupe aux lèvres entre cette bonne volonté des échelons supérieurs de la hiérarchie et les résultats enregistrés dans l'application de la loi. Les services bilingues étaient fournis sur demande expresse dans la majorité des cas, et uniquement là et quand le ministère les jugeait possibles; cela signifiait que l'administration se devait de fournir un minimum de services dans les deux langues officielles là où le groupe linguistique minoritaire représentait au moins 10 p. 100 de la population. Or, dans l'ensemble, les cas où les services ainsi fournis dépassaient le strict minimum constituaient des exceptions. Le souci primordial du ministère, c'était de parer, du mieux qu'il pouvait, à toute demande explicite de service, en cherchant essentiellement à « rester dans les limites de la légalité », et ainsi les mesures qu'il avait prises au cours de la période de référence pour s'acquitter de ses obligations nationales à l'égard de sa clientèle procédaient-elles plus de l'improvisation que d'un plan d'action organisé.

Le ministère a cependant fait preuve de peu d'empressement dans la mise en œuvre des cinq recommandations traitant des communications orales avec le public. Une seule de ces recommandations — celle qui traitait du service téléphonique — avait été appliquée en octobre dernier. Les quatre autres recommandations étaient en voie d'application. Le Commissaire recommandait qu'on assure, à Moncton, le service aux guichets du bureau central et des sous-bureaux et le service de livraison postale dans les deux langues officielles. Il recommandait également au ministère de mettre en œuvre des programmes de formation linguistique et de recrutement afin d'augmenter l'effectif bilingue et améliorer les

octobre 1973. Le ministère des Travaux publics, n'avaient pas encore été traduits en Cependant, certains panneaux unilingues, sous la responsabilité du unilingues tombant sous la responsabilité du ministère ont été remplacés. tampons pour usage externe. Les panneaux, inscriptions et insignes mées destinées au public sont maintenant bilingues, de même que les traitant des aspects visuels. Il a informé le Commissaire que les imprime onze recommandations. Le ministère a appliqué les recommandations de Moncton et réalisée durant l'été 1972, le Commissaire avait formulé A la suite de l'étude portant spécifiquement sur le bureau de poste

timet perplexe. du ministère à en supprimer les causes, laissent le Commissaire un tant- révélant souvent le même genre d'infraction à la loi — et l'incapacité La répétition des plaintes provenant des mêmes régions ou localités — peu enclin à la collaboration, il a fallu l'aiguillonner à plusieurs reprises. 106 plaintes reçues depuis 1970 avec lenteur et un esprit relativement au compte-gouttes. L'administration centrale a généralement réglé les nationale, d'une manière inégale dans les deux langues, parfois même les services assurés directement au public sont encore fournis, à l'échelle personnel des exigences de la Loi sur les langues officielles. Cependant, 1974, il s'est mis à concevoir des moyens lui permettant d'informer son cations de même que plusieurs de ses écrits et imprimés. En janvier Ce ministère a rendu bilingues la plupart de ses formules et publi-

## APPRECIATION

POSTES — « Le tour du monde en 80 jours »

9 de cette même loi. Ces deux organismes ont donc un statut fédéral et elles, le nouveau statut juridique de la société Polymer n'y changeait rien. A la fin de l'année financière, la société n'avait encore pris aucune mesure pour remédier à la situation.



La société a pensé que la plainte avait été déposée par une personne à qui elle avait écrit en français une première fois et répondu en anglais lors d'une correspondance ultérieure. Le correspondant ayant alors demandé une réponse en français, la société avait accédé à son désir.

Elle a fait remarquer que, plusieurs de ses employés étant bilingues, elle était en mesure de communiquer en français avec le public comme le stipulait la Loi sur les langues officielles. Mais elle n'avait pas cru comprendre que la loi exigeait aussi que l'en-tête de son papier à lettres et le slogan publicitaire apposé par l'oblitérateur fussent libellés en français; aussi a-t-elle demandé à recevoir, pour sa gouverne, une copie des directives et instructions pertinentes du Commissaire. Celui-ci a fait savoir que la loi imposait aux sociétés de la Couronne l'obligation de fournir, à leur siège social, des services bilingues. L'en-tête unilingue anglais du papier à lettres officiel utilisé par la société dans sa correspondance avec des francophones contrevenait, selon lui, aux dispositions et à l'esprit de la loi, ainsi qu'à l'intention du législateur. Il a ajouté qu'une telle pratique justifiait un examen plus attentif, car la société avait reçu des lettres patentes l'autorisant à utiliser un nom français.

En conséquence, le Commissaire a recommandé que la société se serve d'un papier à lettre à en-tête bilingue ou français dans sa correspondance avec des francophones ou en réponse à des lettres écrites dans cette langue. Le Commissaire a ensuite précisé que nulle directive ou instruction n'émanait de son bureau, lequel formulait seulement des recommandations se rapportant à des situations particulières. Il a envoyé à la société un exemplaire de son premier rapport annuel en espérant qu'elle en tirerait profit.

Dans sa réponse au Commissaire, la société a donné les renseignements suivants : Polymer, vendue le 31 juillet 1972 par le gouvernement, était maintenant une filiale intégrale de la Corporation de développement du Canada. Cette dernière, de par sa loi constitutive, n'était ni un agent de Sa Majesté ni une société de la Couronne au sens strict de la Loi sur l'administration financière. Un porte-parole de la société a déclaré : « Bien que notre statut ait changé, nous reconnaissons que l'usage du français dans nos rapports avec des francophones offre des avantages pratiques. Nous recevons peu de lettres en français mais nous avons l'intention de continuer à y répondre en cette langue. » Pour le Commissaire, même si Polymer et la Corporation de développement du Canada n'étaient pas des sociétés de la Couronne ou des organismes de Sa Majesté au sens strict de la Loi sur l'administration financière, elles n'en étaient pas moins des institutions du Parlement et du gouvernement du Canada d'après l'article 2 de la Loi sur les langues officielles, et des organismes du gouvernement d'après l'article

Le plaignant reçoit de la société Polymex une réponse en français à une demande faite en français. Il se plaint au Commissaire que la société utilise du papier à lettre à en-tête anglais et une enveloppe portant un slogan publicitaire imprimé en anglais.

*Dossier n° 1093—Etre ou ne pas être une société de la Couronne*

POLYMER  
PLAINTES

Selon le greffier de la Chambre des communes, il s'agissait là d'un problème l'ordre général touchant l'ensemble du personnel du secrétaire et où la question de la langue n'intervenait qu'incidemment. Il a déclaré au Commissaire que chaque député disposait de plusieurs secrétaires dont une au moins qui lui était affectée par un service central. Bien souvent, la première secrétaire, qui était la mieux payée, accomplissait moins de travail que les autres qui devaient fréquemment faire des heures supplémentaires, envoyer le courrier et effectuer les tâches de dernière minute. Il était donc naturel qu'un tel état de choses irritât ces dernières. Le greffier a souligné que même si ce problème ne se résolvait pas facilement, il n'entraînait toutefois aucune forme de discrimination raciale ou linguistique, ce dont le Commissaire a convenu.

Une secrétaire francophone d'un député à la Chambre des communes, qui occupe le troisième rang dans son service, se plaint d'avoir à traduire en anglais pour la première secrétaire unilingue anglaise la correspondance rédigée en français. Elle estime que la traduction ne fait pas partie de son travail.

*Dossier n° 1693—Conditions de travail*

Le greffier de la Chambre a informé le Commissaire qu'à la suite de cette plainte, un relevé complet des plaques de ce genre avait été fait dans l'édifice central et dans l'édifice de l'ouest et que trente-six plaques bilingues avaient été apposées sur les boîtes aux lettres pour remplacer les plaques unilingues.

Un francophone fait remarquer au Commissaire qu'une plaque portant le mot « lettres » sans son équivalent français apparaît sur la boîte aux lettres située à proximité de la porte 139 de l'édifice de l'ouest.

*Dossier n° 1437—Boîtes aux lettres*

Les sites se font aussi bien en anglais qu'en français et que l'on dirige ces personnes vers la file de leur choix.

Sachant qu'il était possible d'avoir un guide francophone, le plaignant en fit la demande. On lui répondit qu'une visite en français allait avoir lieu et on le pria de se mettre à gauche de la file. Le guide l'informa que comme ils n'étaient présentement que deux, il leur faudrait attendre que d'autres visiteurs se joignent à eux. D'autres personnes dans la file demandèrent alors pourquoi deux personnes restaient à l'écart. Le guide leur répondit qu'il allait faire une visite en français, sur quoi une dizaine de visiteurs se joignirent au plaignant et à son frère; aucun d'entre eux ne savait qu'il existait des visites en français. A l'intérieur, le guide ne semblait pas savoir que la visite devait se dérouler en français. Le guide de l'extérieur dut le lui rappeler. Le plaignant a déclaré qu'il était honteux que de tels incidents surviennent au siège même du gouvernement canadien.

- Un autre francophone écrit au Commissaire sur le même sujet. Il s'est rendu compte que des visites en français étaient organisées seulement quand son groupe, qui effectuait la visite en anglais, avait déjà atteint la Chambre des communes. Il était alors trop tard pour retourner et tout recommencer.

A la porte centrale du Parlement, deux francophones demandent en français à la réception l'heure des visites guidées. On leur répond : « Do you speak English ? » Poursuivant en anglais, on néglige de leur dire que les visites peuvent s'effectuer en français, de sorte qu'ils ont fait la visite commentée en anglais. Les plaignants ont en outre dû traduire les explications du guide pour le reste du groupe car tout le monde était d'expression française.

Le président de la Chambre des communes a répondu qu'à son avis le service de guides dans les édifices du Parlement donnait généralement satisfaction. Il a ajouté qu'on recrutait, dans la mesure du possible, des personnes douées d'une personnalité et d'un bon jugement pour ce genre de travail et, dans l'ensemble, la réaction du public était favorable.

Il existait tout de même certains problèmes, particulièrement au cours des mois d'été, lorsque le nombre de visiteurs augmentait sensiblement. Il n'était pas surprenant que certaines difficultés surgissent dans cette période de pointe. Malgré cela, le président croyait qu'il y aurait lieu d'apporter deux innovations afin d'améliorer la situation. D'une part, des enseignes situées dans le foyer indiqueraient dorénavant aux visiteurs où se rendre afin de s'assurer les services d'un guide, soit d'expression française, soit d'expression anglaise. D'autre part, des directives seraient données afin que les visiteurs n'attendent plus d'être en plus grand nombre avant de commencer leur visite guidée. Ainsi, les tournées seraient entreprises dans des délais plus raisonnables. Le Commissaire a suggéré qu'en plus de ces améliorations, on informe des leur arrivée les personnes qui attendent à la porte que les



alliant la personnalité requise pour être guide avec une connaissance satisfaisante des deux langues officielles. Quelques jours avant l'incident rapporté par la plaignante, les guides venaient d'entrer en fonctions. Chacun d'eux a donc subi un examen visant à déterminer ses aptitudes à fournir au public des services satisfaisants dans les deux langues officielles.

• Dans une lettre ouverte parue dans un quotidien, un francophone commente certains incidents qui ont marqué une visite qu'il a faite aux édifices du Parlement en compagnie de sa famille et de quelques amis. Avant d'entrer, sur l'appel d'un garde annonçant : « English at right, français à gauche », il prirent place dans la file de gauche. Ils remarquèrent vite que l'autre file avançait plus rapidement. Quand finalement ils parvinrent à l'entrée, le groupe de francophones fut prié de se serrer contre le mur afin de laisser passer les visiteurs sortants, l'autre rangée n'ayant pas à bouger.

Le visiteur ne reçut aucune réponse à une question posée en français à un garde. Quand il rapporta l'incident à un autre garde, ce dernier lui répondit que vingt ans auparavant les francophones n'entendaient pas un seul mot de français dans les édifices du Parlement, faveur qui leur était maintenant accordée. Le garde ajouta que toute plainte devait être déposée auprès du président de la Chambre des communes et il demanda au plaignant de cesser de la « haranguer ».

Vers la fin de la visite, le guide invita ceux qui le souhaitaient à monter au sommet de la tour. Mais quand ils atteignirent l'escalier, un écriteau rédigé dans les deux langues officielles annonçait que la tour était fermée. Les visiteurs francophones se dispersèrent donc; le plaignant, quant à lui, attendit un peu et vit un guide enlever l'écriteau et accompagner un groupe d'anglophones au sommet de la tour.

Le Commissaire a jugé que cet article de journal contenait des éléments discriminatoires justifiant qu'il soit porté à l'attention du président de la Chambre. Ce dernier a déclaré qu'il n'avait aucun commentaire à faire à ce sujet.

• Un francophone de Sudbury qui demeurait à Ottawa l'année précédente fait savoir au Commissaire que c'est seulement après de nombreuses visites aux édifices du Parlement qu'il s'est rendu compte que des visites en français y étaient organisées. Quand il habitait Ottawa, les visiteurs étaient dirigés à droite de la balustrade située à l'entrée par un guide unilingue anglais.

En juillet 1972, le plaignant retourna à Ottawa en compagnie de son frère, et tous deux entreprirent de visiter les édifices du Parlement. Ce jour-là, la foule était dense et les visiteurs devaient attendre à la porte; un guide annonçait aux arrivants que pour la visite des édifices, il fallait se mettre à la file. Cette annonce était faite en anglais uniquement.

Le greffier de la Chambre des communes a mis le Commissaire au courant de la procédure établie pour la compilation des index des journaux anglais et français; tous les jours, les sections française et anglaise de la Division de l'index recevaient leurs exemplaires respectifs des procès-verbaux de la Chambre. Ces derniers étaient indexés le plus tôt possible et au jour le jour, chaque section étant seule responsable de l'indexation de ses procès-verbaux.

A la fin de chaque session, avant qu'on imprime les index session-nels dans les journaux parlementaires, les indexeurs anglais et français se réunissaient avec le personnel de consultation et de recherche des sections anglaise et française de la Division des journaux pour revoir la partie de leurs index qui traite des seules questions de procédure. Ils ne revenaient pas sur l'insertion des sujets abordés puisqu'elle avait été vérifiée conjointement par les sections anglaise et française de la Division de l'index au moment de la compilation des index des procès-verbaux quotidiens.

Peu de temps après avoir reçu la réponse du greffier de la Chambre des communes, le Commissaire apprenait de la plaignante que la situation qui faisait l'objet de son grief avait été corrigée à son entière satisfaction.

*Dossier n° 991—Comité sénatorial spécial sur la pauvreté*

Un francophone signale au Commissaire la médiocrité de la traduction française du rapport du comité sénatorial spécial sur la pauvreté : *Poverty in Canada*. Il se plaint également de la piètre qualité du français des documents publiés par le Conseil canadien du développement social. Le Commissaire avait déjà communiqué avec le président du comité et le président du Sénat au sujet de la traduction de ce rapport. Il les avait instamment priés d'améliorer la qualité du français des publications futures.

Bien que le Conseil canadien du développement social soit subventionné par des institutions fédérales, ses publications échappent à la compétence du Commissaire. Celui-ci s'est toutefois déclaré prêt à transmettre la plainte au Conseil si le plaignant l'y autorisait et s'il lui fournissait des exemples précis de mauvais français. Le plaignant n'a pas donné suite à l'offre du Commissaire.

*Dossiers n°s 1004, 1051, 1219, 1257, 1585—Visites guidées*

• L'accompagnatrice d'un groupe d'étudiants se plaint que les guides affectés à la visite des édifices du Parlement sont difficiles à comprendre en raison de leur anglais, qui est de mauvaise qualité.

Le président de la Chambre des communes a fait savoir au Commissaire qu'il avait été difficile d'engager un nombre suffisant d'étudiants

reproduire un article de l'édition anglaise dans l'édition française et vice-versa.

Le Commissaire a indiqué au plaignant que la décision de « Multi-Media » respectait le principe de l'égalité de statut des deux langues officielles.

PARLEMENT — « Pour qui sonne le glas » (c'est-à-dire . . . le carillon)

## APPRECIATION

Le public est particulièrement éveillé aux entorses à la Loi sur les langues officielles dans un endroit ayant une valeur symbolique aussi manifeste que le Parlement. S'il est un lieu où on est justifié de s'attendre au respect de la loi, c'est bien celui-là.

Durant la période de 1970 à 1973, le Commissaire a reçu 24 plaintes. La plupart concernaient les services offerts au public ou aux parlementaires par le personnel de la Chambre des communes, et quelques-unes les conditions de travail du personnel de sécurité. Les plaintes des deux Chambres se sont montrées soucieuses des critiques dirigées contre les activités relevant de leur compétence et ont collaboré volontiers aux enquêtes subséquentes à ces plaintes.

Le président de la Chambre des communes s'est intéressé activement à toutes les plaintes alléguant l'insuffisance des dispositions prises pour assurer des visites guidées en langue française dans l'édifice central du Parlement. Malheureusement, des plaintes continuaient, en 1973, à parvenir au Commissaire, situation indiquant que les bonnes intentions évidentes du président n'avaient pas encore produit tout l'effet voulu.

## PLAINTES

Dossier n° 772—Journaux saisonniers

Une francophone se plaint qu'à la Chambre des communes, bien que la plupart des documents de travail émanant de la Division de l'index soient rédigés en français et en anglais, seuls les textes anglais sont révisés par la Division des journaux parlementaires. Selon la plaignante, les rédacteurs français sont ensuite priés d'adapter leur version sans qu'il soit tenu compte de la valeur originale de leur texte; ainsi la priorité serait toujours accordée aux documents anglais et à peu près tout ce qui est rédigé en français n'est qu'une traduction de l'autre langue officielle.



## OFFICE NATIONAL DU FILM

## PLAINTES

Dossier n° 984—Publication

Le plaignant fait grief à l'O.N.F. de ne pas publier en français le « Challenge for Change Newsletter ». L'instruction de la plainte a révélé que les programmes *Challenge for Change/Société Nouvelle* étaient financés et administrés par un comité interministériel composé de représentants de l'O.N.F. et de sept autres organismes gouvernementaux. Ce comité a jugé que ces publications répondraient mieux à l'attente des lecteurs si l'on préparait deux éditions différentes, une pour les anglophones et l'autre pour les francophones. C'est pourquoi « Challenge for Change Newsletter » a été publié en anglais et « Multi-Media » en français. Un groupe de rédacteurs a été chargé de superviser la publication des deux éditions. Il a décidé que celles-ci auraient désormais à peu près le même format et contiendraient toutes deux quelques articles sur les programmes anglais ou français. A l'occasion, on pourrait

L'Office national de l'énergie a informé le Commissaire que le secrétariat de l'Office compte un effectif bilingue parce que la coordination des fonctions réglementaires est principalement assurée par son secrétaire. Selon l'Office, un personnel spécialement affecté à cette tâche répond aux demandes de renseignements et aux communications téléphoniques dans la langue du client. Il déclare également que ses formules et publications de même que les écritureaux, les avis et les inscriptions se trouvant dans ses locaux, sont bilingues. Par contre, pour ce qui est de respecter l'égalité de statut de l'anglais et du français comme langues internes de travail, l'Office reconnaît qu'il lui reste certains efforts à faire pour se conformer pleinement aux dispositions de l'article 2 de la loi. Il semble toutefois avoir pris certaines mesures : par exemple, les communications écrites internes à l'intention de tout le personnel sont imprimées dans les deux langues. Selon l'Office, c'est surtout l'anglais qui sert aux relations entre employés et surveillants, mais dans certaines sections telles que le Secrétariat et la Division du personnel, la surveillance se fait dans les deux langues officielles. Les membres de la haute direction, soit le secrétaire et le directeur général des opérations, sont responsables de l'administration générale de la loi. L'Office dresse actuellement un inventaire des connaissances linguistiques de ses employés qui l'aidera à planifier son action.

Compte tenu de sa clientèle, à majorité anglophone, l'Office national de l'énergie estime avoir un effectif bilingue convenable, mais admet qu'il y a de la place pour une amélioration. Il espère la réaliser d'ici décembre 1978.

En réponse au questionnaire du Commissaire, l'Office a fait savoir qu'il avait intégré, en 1969, les dispositions de la Loi sur les langues officielles dans le corps même de ses responsabilités générales et de ses opérations courantes et que ses objectifs correspondaient à ceux du gouvernement.

## RÉSUMÉ

### OFFICE NATIONAL DE L'ÉNERGIE

Au moment où le plaignant avait soumis sa plainte, le Musée avait entrepris, avec l'aide du Bureau des traductions du Secrétariat d'État, un programme de révision de ses panneaux et légendes.

● Un francophone reproche au Musée des sciences et de la technologie d'utiliser des légendes explicatives anglaises ou rédigées en mauvais français.

Le Musée a suivi ces recommandations; il espérait recevoir les nouvelles reproductions peu après la fin de l'année financière.

Il a donc recommandé que les planches soient immédiatement modifiées ou remplacées par de nouvelles portant une légende bilingue afin que le musée soit en mesure d'offrir aux visiteurs des services en français et en anglais sans plus tarder.

Le Commissaire a admis qu'il n'était pas facile de modifier les planches. Il ne savait pas combien d'images le Musée avait en stock ni quel en était l'écoulement, mais selon lui, la Loi sur les langues officielles étant en vigueur depuis plus de trois ans, le Musée se devait de fournir aux visiteurs francophones des services dans la langue de leur choix et ce, dans les plus brefs délais.

Le Commissaire a répondu que les planches servant à la reproduction de ces images en couleurs étaient la propriété de plusieurs sociétés, dont la Shell, et qu'il était par conséquent difficile de les modifier. Toutefois, après avoir écoulé son stock de reproductions unilingues il tenterait d'obtenir qu'une inscription bilingue figurât sur les images en cause.

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● Un francophone rapporte que des reproductions d'avions en vente à l'entrée de la Collection aéronautique nationale d'Ottawa portent l'inscription unilingue anglaise : « Reproduced for the National Museum of Science and Technology, Ottawa ».

Dossiers nos 1307, 1359—Musée des sciences et de la technologie

le public bénéficie de services dans les deux langues officielles en tout temps.

*Dossier n°s 1177, 1216, 1507—Musée national de l'homme*

• Le plaignant fait grief aux Musées nationaux de présenter une carte unilingue dans un dépliant bilingue du Musée de guerre.

Le Commissaire a porté cette question à l'attention du Musée national de l'homme de qui relève le Musée de guerre. L'erreur commise par inadvertance devait être corrigée lors de la réimpression du dépliant.

• Le plaignant prétend que toutes les cartes explicatives distribuées lors d'une exposition d'objets d'art présentée par le musée national de l'homme au festival ukrainien de Dauphin (Manitoba) n'étaient pas rédigées dans les deux langues officielles et en ukrainien.

Le Musée a fait savoir au Commissaire que le catalogue de l'exposition itinérante ukrainienne ainsi que les textes et les légendes avaient été rédigés dans les deux langues officielles. Toutefois, les organisateurs du festival ukrainien avaient apparemment placé, surtout dans la galerie menant à l'exposition, des écriteaux libellés en anglais et en ukrainien. Lorsqu'ils se sont aperçus que certains objets de valeur exposés sans vitrine pouvaient subir de graves dommages en raison de l'affluence des visiteurs en fin de semaine, ils avaient rapidement placé des panneaux sur lesquels on lisait en ukrainien et en anglais : « Ne pas toucher ». La direction du Musée s'est excusée d'avoir omis la traduction française de « Do Not Touch » et a affirmé qu'elle était consciente du rôle qui lui incombait, en tant qu'organisme relevant du gouvernement fédéral, dans la mise en œuvre de la Loi sur les langues officielles.

Elle a par ailleurs affirmé qu'il était trop onéreux d'organiser des expositions en trois langues étant donné l'insuffisance des fonds qui lui étaient alloués pour ses programmes multiculturels et a réitéré son désir de présenter ces expositions au plus grand nombre possible de Canadiens. Elle a expliqué que la rédaction de catalogues dans une troisième langue occasionnait une forte dépense, que la préparation d'une exposition en trois langues demandait un temps considérable et que l'utilisation de plusieurs langues soulevait des problèmes d'espace et de conception.

Le Commissaire a communiqué au plaignant les résultats de son enquête.

• Un francophone porte à l'attention du Commissaire quelques fautes de français mineures sur des légendes accompagnant une exposition d'art esquimaux et indien au Centre national des arts d'Ottawa. Le Musée national de l'homme, de qui relevait cette exposition, a tout de suite fait un relevé des erreurs et les a corrigées.



Le Commissaire a rappelé à la Galerie nationale que si cette ligne de conduite semblait conforme aux dispositions de la Loi sur les langues officielles, il n'en fallait pas moins constamment veiller à ce que les clauses des contrats relatives aux langues soient respectées afin que

accomplir leur tâche. Parfait, les membres du personnel s'efforçaient sincèrement de bien peeler avant qu'ils ne se relaient au travail. Même si le service n'était pas des rapports cordiaux avec le public. Cela leur était fréquemment rap-vaient être capables de s'exprimer dans les deux langues et d'entretenir Le contrat des membres du personnel de sécurité stipulait que tous de-tenté de parler anglais à la plaignante qui avait refusé de les écouter. toutes trois des connaissances dans les deux langues et disaient avoir d'ascenseur et les deux guides impliquées dans cette affaire possédaient français, toutes pouvaient s'exprimer dans les deux langues. La fille fait que la plupart des filles d'ascenseur et des guides soient d'expression La Galerie nationale a répondu au Commissaire qu'en dépit du situation s'est améliorée.

La plaignante avoue avoir été profondément irritée et déclare que son acceptation du bilinguisme ne va pas jusqu'à lui faire admettre la présence d'employés francophones unilingues dans des lieux publics. Elle envisage de retourner sous peu à la Galerie nationale pour voir si la

français. La guide accepte cette fois de répéter en anglais ce qu'elle a dit en patins au vestiaire. A un autre étage, la même scène se reproduit, mais étage, une guide leur demande en français seulement d'aller porter les que l'exces en tout est un défaut. Lorsqu'elles atteignent le quatrième part des anglophones, à votre tour maintenant. » La mère rétorque « Pendant cent ans, nous avons dû supporter ce genre d'attitude de la persiste à l'ignorer. Une tierce personne fait la remarque suivante : La fille d'ascenseur continue de s'exprimer en français et la plaignante fera rien tant que la jeune fille ne s'adressera pas à elle en anglais. déposer ses patins au vestiaire, ce à quoi la mère réplique qu'elle n'en leur signale alors que la fille d'ascenseur a demandé à la fillette de il ne leur est pas possible de saisir ce qu'elle dit. Une personne présente français, mais aucun membre de la famille ne comprenant cette langue, à la main ses patins à glace. La fille d'ascenseur s'adresse à l'enfant en nationale en compagnie de ses trois filles. La plus jeune d'entre elles tient

• Une anglophone visite un dimanche après-midi la Galerie nationale unilingue français. La Galerie nationale n'a pu identifier la fille d'ascenseur ni l'écri-

le public avant qu'elle n'ait amélioré ses connaissances en anglais. a depuis été mutée à un autre poste où elle ne serait pas en rapport avec que bien qu'elle prit des cours d'anglais le soir à ses propres frais. Elle La Galerie nationale a admis que la guide n'était pas encore bilin-

Les autorités des Musées nationaux ont expliqué que ces plaques avaient été apposées par le propriétaire de l'immeuble et qu'on allait les remplacer par des plaques bilingues.

• Le plaignant fait grief à la Commission consultative sur la politique nationale des musées de ne pas avoir offert de services en langue française lors de deux réunions tenues respectivement à Toronto en décembre 1972 et à Winnipeg en février 1973. La correspondance préliminaire et les communiqués remis lors des réunions étaient rédigés en anglais seulement et, de plus, le service de traduction simultanée n'avait pas été prévu.

La Commission a répondu que les deux réunions avaient été organisées dans des délais qui ne lui auraient pas permis de les préparer avec tout le soin nécessaire. Elle a souligné que les musées qui avaient participé à l'élaboration et à l'exécution du programme ne comprennent alors aucune institution de langue française, bien que certains observateurs étaient francophones. La Commission a ajouté que ceux-ci savaient que les délibérations se tiendraient en anglais, étant donné que la documentation préalable avait été rédigée dans cette langue.

La Commission a assuré le Commissaire que la traduction simultanée serait prévue pour les prochaines réunions et que toute la documentation serait fournie aux membres et aux observateurs dans les deux langues officielles.

#### *Dossiers nos 1041, 1331, 1608—Galerie nationale*

• Un francophone signale au Commissaire que l'exposition Plaskett à la Galerie Beaverbrook de Fredericton comportait des panneaux libellés en anglais seulement.

La Galerie nationale a informé le Commissaire que l'exposition avait été préparée par l'université de la Colombie-Britannique, dans le cadre des expositions itinérantes de la Galerie nationale, et qu'on avait négligé de vérifier les panneaux. Toutefois, le directeur de la Galerie Beaverbrook avait retiré les panneaux parce qu'ils étaient unilingues. Par contre, les étiquettes placées sous chaque œuvre étaient rédigées en français et en anglais.

La Galerie nationale a assuré le Commissaire qu'elle veillerait à ce que de tels incidents ne se répètent plus.

• Un anglophone se plaint que, lors d'une visite à la Galerie nationale, une guide et une fille d'ascenseur persistaient à lui répondre en français alors qu'il continuait à leur parler en anglais. Il prétend d'autre part qu'une exposition de peintures québécoises était annoncée par un écriture unilingue français.

• Le plaignant fait remarquer au Commissaire que les plaques identifiant l'immeuble occupé par la Division des plans et étalages des Musées nationaux du Canada à Ottawa sont unilingues anglaises.

Dossiers nos 1438, 1775—Musées nationaux

## PLAINTES

Dans tous les cas, les autorités de la Galerie nationale ont pris les dispositions requises pour que les services au public soient conformes aux exigences de la loi.

Quant à la Galerie nationale, six plaintes recevables l'ont mise en cause. Ces plaintes portaient sur le service des guides offerts aux anglophones, un feuillet explicatif unilingue anglais et des panneaux unilingues présentés dans les deux langues officielles.

et la correspondance destinées aux membres et observateurs seraient prêtée pour les prochaines réunions et que toute la documentation musées a assuré le Commissaire qu'un service d'interprétation simultanée de plaintes. La Commission consultative sur la politique nationale des plaques d'identification ou écriteaux unilingues qui avaient fait l'objet du Canada ont pris les dispositions qui s'imposaient pour remplacer les A la suite de l'intervention du Commissaire, les Musées nationaux rejoindre la communauté francophone.

pour la publication d'une annonce hebdomadaire dans *Le Droit* pour de la recommandation du Commissaire. Entre-temps, le Musée a opté publication « printanière », il reconsidérerait la question à la lumière de ses annonces pour l'automne et que, lorsque viendrait le temps d'une Musée a informé le Commissaire qu'il avait interrompu la publication Deux ans plus tard, cependant, en réponse à une plainte identique, il a maintenu sa décision de publier ses annonces en anglais seulement, à prétendre que la revue en question n'était pas bilingue. Par conséquent, l'égard du respect de la Loi sur les langues officielles, tout en persistant En réponse, le Musée s'est contenté d'exprimer sa bonne volonté à technologie reflète l'égalité de statut de l'anglais et du français.

recommandé que la publicité du Musée national des sciences et de la dans la revue *What's on in Ottawa/Voici Ottawa*, le Commissaire a A la suite de la plainte portant sur l'unilinguisme de l'annonce et de normalisation de ses panneaux et légendes.

bureau des traductions du Secrétariat d'État, un programme de révision national des sciences et de la technologie a mis sur pied, avec l'aide du gais relevées dans des notes explicatives ou des légendes, le Musée étudiée dans le cadre d'une étude spéciale. Quant aux erreurs de tran- guerre et du Musée national des sciences et de la technologie a été La question de la qualité du français du personnel du Musée de



si ce n'était pas toujours avec la rapidité de Kohoutek, aux sept recommandations formulées par le Commissaire à l'issue d'une étude spéciale menée en avril 1971. Au cours des trois années de référence, 17 plaintes, dont huit étaient fondées, ont été déposées contre la corporation. Les Musées nationaux ont corrigé les anomalies entraînant des infractions à la loi. Cependant il a fallu, dans certains cas, que le Commissaire use d'un peu de persuasion auprès du directeur du Musée des sciences et de la technologie et lui fasse des propositions « honnêtes » qu'il a eu la délicatesse de ne pas repousser.

Les trois recommandations portant sur les services de guides, les conférences publiques et la signalisation dans les bibliothèques des musées ont été mises en œuvre; le dernier rapport annuel du Commissaire en faisait d'ailleurs mention (p. 74). Les quatre autres recommandations concernaient, l'une, les Musées nationaux du Canada à l'exception de la Galerie nationale, une autre, l'ensemble des Musées nationaux du Canada et les deux dernières, le Musée national des sciences et de la technologie. Pour donner suite à la recommandation n° 5, les Musées nationaux ont déclaré qu'ils traduisaient désormais intégralement tous les ouvrages scientifiques rédigés en anglais au Canada français au lieu de fournir uniquement de brefs résumés comme par le passé.

La recommandation n° 6 qui demandait la création d'un service de traduction à l'usage exclusif des Musées nationaux, n'a pas été appliquée. Les Musées ont toutefois trouvé une solution équivalente en suscitant la création, au sein du Bureau des traductions, d'un groupe de traducteurs spécialement affectés à la traduction des documents des musées. Le Musée national des sciences et de la technologie a, de son côté, informé le Commissaire que la recommandation n° 1, exigeant la révision systématique et minutieuse de ses notices explicatives, a été mise en œuvre l'automne dernier. Enfin, conformément à la recommandation n° 2, les écritureaux de cet organisme avaient été rendus bilingues avant la fin de l'année 1973.

Dans l'évaluation de l'action prise par les Musées nationaux pour régler les plaintes qui ont été déposées contre eux, il a été tenu compte du Musée national des sciences naturelles, du Musée national de l'homme, du Musée national des sciences et de la technologie et de la Galerie nationale du Canada.

Les Musées nationaux (la Galerie nationale exceptée) ont fait l'objet de huit plaintes qui portaient sur la qualité du français utilisé par les guides et celle des légendes ou notes explicatives accompagnant des objets exposés, et l'unilinguisme de certains textes (annonces publiées dans la revue *What's on in Ottawa/Voici Ottawa*, plaques d'identification, documents, correspondance). On a aussi déploré l'absence d'un service d'interprétation simultanée pour des réunions tenues à Toronto et à Winnipeg.

Afin d'éviter que cette erreur ne se répète, le ministre a émis des directives demandant à son personnel de s'assurer que toute demande et toute correspondance reçoivent une réponse dans la langue du client.

## MONNAIE ROYALE CANADIENNE

### PLAINTES

#### *Dossier n° 1519—Identification*

Un francophone déclare avoir reçu un colis sur lequel le nom de l'organisme figure à plusieurs reprises en anglais seulement.

La Monnaie royale a souligné au Commissaire que des directives précises avaient été données afin que toutes ses formules unilingues soient remplacées par des formules bilingues au moment de la réimpression ou plus tôt si cela n'était pas trop onéreux. En ce qui concerne le papier gommé qui a fait l'objet de la plainte, l'organisme a précisé que son stock serait épuisé vers la fin de mars 1973. Il a donné l'assurance au Commissaire qu'il utiliserait, à ce moment-là, un nouveau papier gommé sur lequel son nom figurera dans les deux langues officielles.

#### *Dossier n° 1650—Correspondance*

Une francophone postule un emploi auprès de la Monnaie royale. Bien qu'elle ait rédigé sa lettre en français, elle reçoit une réponse libellée en anglais.

La Monnaie royale a informé le Commissaire qu'elle répondait aux lettres reçues dans la langue du correspondant, mais qu'en raison du grand nombre de candidatures qu'avait suscitées ce concours, elle avait dû envoyer aux postulants dont la demande avait été rejetée une lettre type rédigée en anglais, 90 p. 100 des personnes inscrites ayant utilisé l'anglais. Malheureusement ce fut cette lettre type écrite en anglais qui avait été adressée à la plaignante.

Le Commissaire a transmis à la plaignante les explications et les excuses de la Monnaie royale. Il a néanmoins informé celle-ci qu'il déduisait de sa réponse que des mesures avaient été prises pour éviter la répétition d'une telle erreur.

MUSÉES NATIONAUX DU CANADA — « Le cabinet des figures de cire »

APPRÉCIATION

*Les Musées nationaux dans leur ensemble et le Musée national des sciences et de la technologie en particulier ont donné suite, même*

miner dans quel cours l'inscrire. Dans la mesure où les disponibilités financières et pédagogiques le permettaient, le ministère négociait l'achat des places aux cours de formation en tenant compte du désir manifesté par les stagiaires quant à la langue d'enseignement. Le ministère s'est cependant inquiété de l'existence de certaines lacunes dans les services offerts aux étudiants, services qui relevaient non de sa compétence mais de celle de l'administration du collège Algonquin. Les informations obtenues du collège par le ministère indiquaient que ce dernier se préoccupait de cette situation, et avait déjà pris des mesures à ce sujet ou se proposait de le faire.

Un orienteur bilingue devait passer une journée par semaine au centre de recyclage afin de conseiller les étudiants francophones. Le collège étudiait également la possibilité, soit de recruter une infirmière bilingue à temps partiel, soit de prendre des dispositions pour qu'une infirmière bilingue d'un autre campus se rende périodiquement au centre de recyclage. Quant à la bibliothèque, un nouveau poste venait d'être créé et le collège s'efforçait de recruter un titulaire bilingue.

Pour les manuels et instruments de travail, le collège avait pris l'initiative d'adapter en français, pour ses besoins et avec son propre budget, des manuels anglais. Le collège participait également à un projet similaire en coopération avec les CEGEP du Québec dans le cadre de l'Association des collèges communautaires du Canada.

Un examen des avis et affiches avait été effectué au centre de recyclage et des mesures avaient été prises pour remplacer une affiche unilingue par une affiche bilingue. Le conseil d'administration du collège avait aussi discuté de la possibilité d'émettre des notes de service dans les deux langues officielles.

Enfin, le ministère déclarait être en mesure d'offrir des services dans les deux langues officielles à son bureau d'Ottawa. De plus, le Centre de main-d'œuvre du Canada à Ottawa avait par le passé publié plusieurs annonces et communiqués concernant les cours existant en français ou en anglais et entendait intensifier sa publicité des cours de formation offerts en français, tant dans la presse qu'au Centre de main-d'œuvre.

#### *Dossier n° 1570—Formule*

Un francophone se plaint d'avoir reçu du Centre de main-d'œuvre de St-Boniface un contrat rédigé en anglais concernant le Programme de formation en cours d'emploi.

Le ministère a informé le Commissaire que c'était par erreur que ce contrat avait été préparé en anglais sur la formule MAN 111 7 E. Un nouveau contrat, en français, a immédiatement été remis au plaignant sur la formule MAN 111 7 F.



Les plaignants font grief au ministère de ne pas offrir aux étudiants francophones des cours de recyclage convenables en français au Centre de recyclage et d'orientation du collège Algonquin à Ottawa. Ils rapportent que les élèves ne peuvent obtenir des cours de langue seconde. Ils affirment que les conseillers en main-d'œuvre n'orientent pas toujours les étudiants vers les cours donnés en français et que la publicité faite pour annoncer ces cours est insuffisante. Ils ne s'expliquent pas que les inscriptions ne dépassent pas le chiffre de 40 alors qu'il y a dans la région une population francophone importante. Enfin, ils font remarquer que les services aux étudiants sont surtout offerts en anglais.

A la demande du Commissaire, le ministère a entrepris une étude de la situation et a pris des mesures afin de corriger certaines lacunes et d'améliorer la qualité de ses services en français.

Tout d'abord, le ministère a cherché à savoir si sa directive concernant la langue d'enseignement était respectée dans le cadre du programme de formation de la main-d'œuvre du Canada. Le but de cette directive était de permettre aux personnes habitant des régions bilingues de suivre des cours de formation dans la langue officielle de leur choix, lorsque le nombre le justifiait. Sinon, des dispositions pouvaient être prises afin de permettre à un stagiaire de suivre un cours dans sa propre langue ailleurs, parfois même dans une autre province.

En règle générale, le nombre minimum de 15 élèves était requis pour qu'un cours puisse être donné. Cette norme s'appliquait tant aux stagiaires de langue anglaise qu'à ceux de langue française.

Par ailleurs, les ministères provinciaux de l'Éducation avaient établi une norme pédagogique maximum de 20 élèves pour les groupes de stagiaires. Le ministère était d'avis que ces deux nombres de 15 et 20 représentaient un juste équilibre entre, d'une part, la norme pédagogique maximum, et d'autre part, l'exigence économique de rentabilité minimum. De plus, le nombre minimum d'élèves par cours était, à l'occasion, assez flexible. Certains cours pouvaient débuter avec moins de 15 stagiaires. En fait, la majorité des cours était surtout organisée en fonction du nombre requis. L'expérience indiquait en effet qu'il était plus facile de trouver des candidats lorsqu'on pouvait annoncer les dates précises d'ouverture et de clôture des cours. C'est ainsi, par exemple, que le ministre, en 1971, avait acheté 240 inscriptions aux cours du collège Algonquin dispensés en français. Toutefois, 159 personnes seulement s'étaient déclarées intéressées par ces cours en français. L'utilisation des places dans ce cas avait été de 66 p. 100 comparativement à une moyenne nationale de 80 p. 100.

Le choix exprimé par le « client » quant à la langue dans laquelle il désirait obtenir sa formation était le seul critère permettant de déter-

employés du bureau de placement des étudiants de servir le public dans les deux langues officielles, et il a assuré le Commissaire que ce bureau était parfaitement en mesure de le faire. Le ministère a ajouté qu'il utilisait désormais un tampon bilingue pour inscrire l'adresse de l'expéditeur sur les enveloppes.

• Le responsable d'un projet d'initiatives locales à Ottawa reçoit du ministère une lettre circulaire rédigée en anglais seulement et doit la faire traduire avant de la distribuer aux participants au projet. L'instruction du Commissaire a révélé que la lettre circulaire avait été envoyée par inadvertance en anglais. Cette formule ainsi que toutes celles utilisées pour la promotion et l'administration du programme en question existaient dans les deux langues officielles. Le ministère a regretté les inconvénients occasionnés par cette erreur et a renforcé les mesures de contrôle existantes afin de veiller à ce que de tels incidents ne se répètent plus.

#### *Dossier n° 863—Cours de langue*

Une anglophone de Sudbury estime que le ministère devrait offrir des cours de français aux immigrants anglophones, notamment dans les régions bilingues.

Le Commissaire s'est renseigné auprès du ministère, qui lui a répondu que les immigrants désireux d'apprendre l'une des deux langues officielles du Canada recevaient l'aide du ministère et de la Direction de la citoyenneté du Secrétariat d'Etat.

Le ministère de la Main-d'œuvre et de l'Immigration avait pour règle de dispenser des cours de langue aux immigrants lorsqu'ils éprouvaient des difficultés à trouver un emploi qui leur convenait en raison de l'insuffisance de leurs connaissances en anglais ou en français. Sous réserve de certaines conditions, ces cours étaient organisés dans le cadre du programme de formation de la main-d'œuvre du Canada. Par ailleurs, les Canadiens appelés à travailler dans des régions du pays où la langue de travail n'était pas la leur étaient en droit de suivre des cours de langue au titre des mêmes programmes s'ils n'obtenaient pas d'emploi pour des motifs d'ordre linguistique.

La Direction de la citoyenneté du Secrétariat d'Etat, qui prêtait son concours aux provinces pour l'enseignement du français et de l'anglais aux immigrants adultes, était en train de mettre au point avec celles-ci un programme d'aide fédérale acceptable par les deux parties en vue d'enseigner les deux langues officielles aux immigrants d'âge scolaire. De nombreuses commissions scolaires locales offraient déjà des cours de langue à temps partiel.

Le Commissaire a transmis ces renseignements à la plaignante.

figurait en anglais seulement sur l'enveloppe. Le ministre a répondu que la lettre avait été rédigée dans les deux langues et a reconnu que chaque employeur aurait dû en recevoir une copie dans la langue de son choix. En l'occurrence, la version anglaise avait été expédiée par erreur. Le ministre avait pourtant rappelé aux

- Un membre d'une association culturelle francophone envoie au Commissaire copie d'une lettre rédigée en anglais et envoyée à son association par le bureau de placement des étudiants du Centre de main-d'œuvre du Canada du collège Algonquin à Ottawa. Bien que l'adresse du destinataire ait été libellée en français, l'adresse de l'expéditeur

seconde langue et prévoirait la répétition de tels incidents. A la suite de cette recommandation, un relevé a été fait auprès des diverses Divisions et Directions du ministère à Ottawa. Ce relevé a permis de constater que celles-ci étaient en mesure d'assurer une telle révision systématique tant en français qu'en anglais, et que c'était déjà la façon de procéder dans le cours normal des opérations quotidiennes. Toutefois, on a jugé utile de désigner dans certains cas une personne compétente pour faire, dans son propre secteur, la révision de tout texte destiné au public et rédigé par un fonctionnaire dans une langue autre que sa langue maternelle.

Le Commissaire a recommandé que, pour les documents destinés au public, une révision systématique des textes soit faite par une personne apte à apporter les corrections nécessaires. Une telle mesure profiterait au fonctionnaire disposé à améliorer la connaissance de sa seconde langue et préviendrait la répétition de tels incidents.

Le ministère a reconnu que le français de cette lettre laissait beaucoup à désirer et a regretté qu'elle ait été expédiée. Il a toutefois ajouté que ce genre d'incident risquait de se reproduire puisque des employés rédigeaient maintenant des lettres dans une langue officielle autre que leur langue maternelle lorsqu'ils avaient atteint un niveau de bilinguisme jugé adéquat par le Bureau des langues de la Commission de la fonction publique.

- Un francophone porte à l'attention du Commissaire une lettre que lui a envoyée d'Ottawa le ministre. Cette lettre rédigée dans un français « abominable » est en fait une traduction littérale de l'anglais. Le ministre a reconnu que le français de cette lettre laissait beaucoup à désirer. Les francophones ajoutent :

*Dossiers nos 830, 1591, 1615—Correspondance*

Pour pallier à cet inconvénient, le ministère a pris des dispositions avec le Secrétariat d'Etat pour qu'une entreprise commerciale de Winnipeg assure les travaux de traduction du ministère jusqu'à ce que le Secrétariat d'Etat ouvre un bureau régional de traduction. De plus, un poste d'agent d'information devenu vacant a été désigné bilingue. Des mesures ont été prises afin que ce poste soit comblé dans les plus brefs délais.



afin d'assurer en tout temps un service aussi efficace en français qu'en anglais.

Le ministère a pris note de cette recommandation et a fait savoir au Commissaire qu'il s'efforcerait de recruter un deuxième conseiller bilingue lorsqu'un poste deviendrait vacant.

*Dossier n° 975—New York*

Un étudiant canadien aux Etats-Unis rapporte qu'il a écrit à deux reprises en français au Service d'immigration du Canada à New York afin d'obtenir des renseignements sur les formalités de naturalisation pour son épouse. Il souligne qu'on lui a répondu en anglais et que les documents qu'on lui a envoyés étaient également en anglais. Il en conclut que le bureau de New York n'est pas en mesure de fournir un service dans les deux langues officielles du Canada.

Le ministère a dit regretter que son bureau ait par erreur donné suite en anglais seulement aux lettres du plaignant. Il a précisé que le Consul a de nouveau attiré l'attention de son personnel sur l'importance de servir le public dans les deux langues officielles. Il a assuré le Commissaire que des mesures de contrôle avaient été prises afin de veiller à ce qu'on rédige toujours les réponses dans la langue utilisée par les correspondants. Enfin, le ministère a fait savoir que l'adjooint spécial du ministre avait envoyé au plaignant une brochure intitulée « Comment devenir citoyen canadien » et l'avait informé du nom et de l'adresse de l'agent du Secrétariat d'Etat chargé des questions de naturalisation canadienne.

*Dossier n° 731—Communiqués de presse*

Le secrétaire à la rédaction d'un journal de langue française de l'Ouest fait grief au ministère de lui envoyer des communiqués rédigés en anglais.

Le ministère a reconnu le droit fondamental de chacun d'être servi dans la langue officielle de son choix et a émis des instructions à cet effet aux directeurs généraux des régions. Dans les cas en question, tous les documents concernaient de nouveaux programmes destinés à stimuler le marché du travail et à créer de nouveaux emplois. Ces programmes temporaires ne faisaient pas partie des opérations courantes du ministère. Il en résultait ainsi un volume accru de correspondance avec le public. Le nombre élevé de communiqués qui devaient être émis sans délai, la pénurie d'employés bilingues sur place, en mesure de rédiger des textes en français, et l'absence de services de traduction propres au ministère ont contraint ce dernier à n'émettre ses communiqués qu'en langue anglaise.

lui ont répondu qu'en anglais. Le visiteur aurait alors demandé à parler à un employé pouvant s'exprimer en français. Ce service lui aurait été refusé sous prétexte qu'il parlait suffisamment l'anglais pour se faire comprendre.

Le ministère a informé le Commissaire que la politique en vigueur à ce bureau était de servir le client dans la langue officielle de son choix. À cet effet, tous les employés qui ne parlaient que l'anglais disposaient d'une liste de conseillers et de commis bilingues auxquels ils devaient faire appel lorsqu'ils se trouvaient en présence de clients francophones. Cette liste incluait les noms de deux conseillers en main-d'œuvre et de quatre commis supérieurs ayant une bonne connaissance de la langue française. De plus, trois autres conseillers et un cadre possédaient une connaissance suffisante de la langue pour fournir tout au moins un service rudimentaire en français.

Une telle capacité bilingue avait permis au Centre de main-d'œuvre d'Edmonton de répondre de façon satisfaisante à la demande de service en français qui s'était révélée jusqu'alors relativement faible. Comme le centre prévoyait que cette demande allait s'accroître, il a pris des mesures pour augmenter le nombre d'employés bilingues. Afin d'éviter la répétition de situations analogues à celles mentionnées dans la plainte, le directeur du bureau d'Edmonton a de nouveau insisté sur l'importance de fournir au public un service dans les deux langues officielles et a rappelé à ses employés les directives du ministère à ce sujet.

#### *Dossier n° 778—Saint-Paul*

Un plaignant déplore l'absence de service en français au guichet du Centre de main-d'œuvre de Saint-Paul (Alberta) et l'unilinguisme anglais des panneaux indicateurs.

Le ministère a expliqué au Commissaire que la politique en vigueur à ce bureau était de servir le client dans la langue officielle de son choix. Ce bureau comportait six postes dont un bilingue, comblé depuis janvier 1972. De plus, la réceptionniste était bilingue.

En ce qui concerne l'unilinguisme anglais des panneaux, le ministère a indiqué qu'il était parfois difficile de faire respecter sa politique lorsque ses bureaux étaient situés dans des immeubles dont le gouvernement n'était pas propriétaire.

À la suite de cette plainte, le ministère des Travaux publics a porté cette question à l'attention du propriétaire de l'immeuble et ce dernier a consenti à effectuer les changements proposés. On a décidé d'installer des écriteaux bilingues.

Le Commissaire s'est dit satisfait de ces mesures mais a recommandé au ministère d'augmenter le nombre des conseillers bilingues

Un francophone rapporte qu'il s'est à plusieurs reprises adressé en français au Centre de main-d'œuvre et que les préposés à l'accueil ne

*Dossier n° 662—Edmonton*

On assura le Commissaire que le directeur du Centre de Regina était en mesure de prendre les dispositions voulues pour offrir immédiatement un service en français si le plaignant voulait bien communiquer avec lui. En outre, les responsables au bureau régional des Programmes des initiatives locales et de formation en cours d'emploi pouvaient, sur demande, dispenser leurs services dans les deux langues.

Entre-temps, un fonctionnaire du Centre de Regina avait commencé de suivre un programme de formation linguistique. On envisageait également la possibilité d'offrir, si nécessaire, des cours de français à d'autres fonctionnaires du centre.

A la suite de l'intervention du Commissaire, le ministère a précisé que l'administration régionale prendrait des dispositions afin de procéder à la reconnaissance des postes exigeant le bilinguisme pour que les programmes et services du ministère soient assurés en français et en anglais, conformément aux exigences de la Loi sur les langues officielles.

Un représentant d'une association francophone de la Saskatchewan se plaint du fait qu'aucun employé ne peut s'exprimer en français au Centre de main-d'œuvre de Regina. Son association, qui doit recourir au centre pour discuter de questions comme le Programme des initiatives locales, désire être servie en français.

*Dossier n° 1599—Regina*

Il a rappelé au ministère que le succès du bilinguisme institutionnel dépendait de la bonne volonté des fonctionnaires. Ceux-ci soutiendraient cette cause si les dispositions de la Loi sur les langues officielles leur étaient clairement exposées. Ils en comprendraient alors vraiment la justice et l'humanité. Il était tout aussi important que les employés saisissent parfaitement les procédés administratifs visant à réaliser le bilinguisme institutionnel. A cette fin le Commissaire a suggéré qu'on organise des consultations entre la direction et les associations de personnel sur la prise de décisions et leur mise en œuvre.

Il a également proposé que tous ceux qui le désiraient et qui pourraient en avoir besoin en vue d'une carrière utile et enrichissante suivent des cours de langue seconde. Il a insisté sur le fait que cette formation devrait être donnée en priorité aux employés entretenant des rapports avec le public.

Il a également proposé que tous ceux qui le désiraient et qui pourraient en avoir besoin en vue d'une carrière utile et enrichissante suivent des cours de langue seconde. Il a insisté sur le fait que cette formation devrait être donnée en priorité aux employés entretenant des rapports avec le public.



leur inquiétude face à la politique de dotation en personnel appliquée par les responsables de l'administration dans ces deux régions. Afin d'atteindre le pourcentage de fonctionnaires bilingues fixé par le Conseil du trésor pour 1975 dans les régions bilingues, le ministre se proposait de ne recruter que des candidats bilingues comme préposés à la réception et à d'autres postes exigeant des relations avec le public.

Aucun membre du personnel actuel ne serait congédié. Afin de pourvoir aux postes rendus vacants à la suite du départ normal de certains employés de Winnipeg et Edmonton, il faudrait, pour chacun des Centres, recruter en moyenne sept personnes bilingues par an d'ici à 1975, soit 20 à Edmonton et 22 à Winnipeg. Cent soixante-sept personnes travaillaient alors au Centre de main-d'œuvre de Winnipeg, dont six bilingues; d'ici 1975, quarante-quatre d'entre elles suivraient des cours de langue. Sur les 135 employés que comptait le Centre de main-d'œuvre d'Edmonton, trois étaient bilingues et 35 recevaient une formation linguistique. Les plaignants estiment que la politique du ministère est contraire à l'esprit de la Loi sur les langues officielles et à l'intention du législateur.

Deux membres du bureau du Commissaire sont allés à Edmonton et à Winnipeg examiner ces plaintes avec les représentants locaux de la direction et du personnel afin de recueillir toutes les précisions voulues. Le Commissaire a informé les plaignants que la Loi sur les langues officielles n'obligeait pas tous les fonctionnaires ou employés, quel que soit leur rang, à être ou à devenir bilingues. Elle visait à instaurer le bilinguisme « institutionnel », ce qui signifiait que chaque institution fédérale devait, lorsque la loi l'exigeait, fournir au public des services dans les deux langues officielles. La loi ne fixait aucun pourcentage d'employés bilingues par catégorie d'emploi; elle stipulait seulement que les modalités de recrutement et de promotion à des postes entraînant la prestation de services au public devaient tenir compte des dispositions qu'elle énonçait.

D'après une décision du gouvernement, il incombait au Conseil du trésor et au ministre concerné de définir les exigences linguistiques des postes de la fonction publique. C'était la Commission de la fonction publique et aux besoins des différents ministères, prescrivait les normes de sélection, celles de la langue y comprises, et déterminait les connaissances linguistiques des candidats. Toutefois, le Conseil du trésor et les ministères pouvaient très bien, sans entreprendre la Loi sur les langues officielles, se fixer pour le bilinguisme des objectifs de gestion qui débordaient les exigences de la loi en matière de service au public.

Le Commissaire, après examen des plaintes avec le ministre, a émis un certain nombre de suggestions. Il a souligné à la direction qu'elle devait établir une meilleure communication afin de dissiper les craintes

*Dossiers nos 1344, 1352, 1364-1421, 1431, 1445-1486—Winnipeg et Edmonton*

En octobre 1972, un certain nombre de fonctionnaires du ministère en poste à Winnipeg et Edmonton font part au Commissaire de

Le ministère a précisé que quelques postes au Centre de main-d'œuvre avaient été confiés à des personnes qui étaient en mesure de fournir un service dans les deux langues officielles. Il s'agissait de la réceptionniste préposée aux renseignements, d'un commis qui assurait la liaison avec la Commission de la fonction publique du Canada et d'une dactylographe. En outre, le centre disposait des services de trois conseillers bilingues.

L'incident ni d'en vérifier l'authenticité.

Le directeur a toutefois affirmé que les réceptionnistes connaissent très bien la politique du ministère qui exige qu'en tout temps le public soit servi dans la langue officielle de son choix. Il a de nouveau rappelé à tous ses employés l'importance de cette politique afin d'éviter qu'une telle situation ne se reproduise.

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*Dossier no 896—Winnipeg*

Un francophone déclare s'être présenté au Centre de main-d'œuvre de Winnipeg afin d'obtenir des renseignements concernant les cours offerts. Un membre du personnel lui aurait dit en anglais que personne au centre n'était en mesure de lui fournir en français l'information demandée. Il soutient que cela est faux car il croit savoir que ce centre compte à son service un certain nombre de fonctionnaires bilingues à qui on aurait pu faire appel.

Le ministère a par la suite expliqué que des délais de traduction étaient à l'origine de ce retard, les facilités mises à la disposition du ministère à Toronto par le Bureau des traductions n'étant pas adéquates. Le directeur général de la région aurait, à la suite de cette plainte, pris les mesures nécessaires afin de corriger cette situation et d'assurer aux francophones des services satisfaisants.

A la demande du Commissaire, le ministère a communiqué immédiatement avec son bureau de Toronto à ce sujet. Ce bureau a aussitôt informé le plaignant que son contrat avait été accepté et qu'il pourrait commencer ses cours tel que prévu.

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• Un plaignant porte à l'attention du Commissaire un article de journal relatant les mésaventures de visiteurs en provenance de l'Équateur et de Haïti qui ont dû passer la nuit du 17 octobre 1972 à l'aéroport de Toronto. Le ministère n'aurait pas eu assez d'interprètes espagnols et français pour s'occuper d'eux.

Le ministère a informé le Commissaire que l'incident rapporté devait être replacé dans son contexte. Il résultait d'une situation à laquelle le ministère avait voulu mettre un terme en décidant de suspendre temporairement le droit des visiteurs de déposer une demande de résidence permanente une fois entrés au Canada. Plusieurs semaines avant la suspension de ce règlement, les services du ministère aux aéroports internationaux avaient dû faire face à un surcroît de travail. Bien que généralement les services rendus en français à l'aéroport de Toronto ne représentaient qu'une faible proportion de l'ensemble des services dispensés par les agents d'immigration, il a pu arriver qu'à certains moments la majorité des clients fussent francophones, en raison de l'origine du vol. Durant la période en question, le surcroît de travail avait causé des délais d'attente pour les visiteurs francophones.

En règle générale, la connaissance de la langue française des agents d'immigration et des réceptionnistes semblait suffisante pour répondre aux besoins. Environ 30 p. 100 du personnel préposé à l'examen était bilingue. D'autre part, lorsque la demande de services en français était particulièrement élevée, on avait recours à des interprètes portugais, espagnols ou autres qui connaissaient bien le français.

Le ministère ne prévoyait pas la répétition d'une telle situation, vue la décision prise de changer la réglementation.

• Un employeur de Sturgeon Falls se plaint d'avoir reçu du bureau régional du ministère à Toronto un contrat en anglais bien qu'il en ait fait la demande en français. Le plaignant fait remarquer au Commissaire qu'il avait éprouvé la même difficulté l'année précédente et que le Centre de main-d'œuvre de Sturgeon Falls lui avait alors présenté des excuses. Il estime qu'il est temps pour le bureau de Toronto d'offrir aux francophones des services dans leur langue.

Le ministère a informé le Commissaire que toutes les formules utilisées pour la promotion et l'administration du Programme de formation en cours d'emploi étaient disponibles dans les deux langues officielles et que l'on s'était probablement trompé de formule. Le ministre regrette que le plaignant ait pour la deuxième fois éprouvé des difficultés à se faire servir en français et assurait le Commissaire que des documents en français avaient été remis à cet employeur.

Deux semaines plus tard, le plaignant signale au Commissaire qu'il n'a encore rien reçu et exprime sa crainte de voir son contrat refusé.



francophones doivent la prier de leur parler en français. Il ajoute que nombre d'écrétiaux et avis de ce centre sont rédigés uniquement en anglais.

Le ministère a répondu que les employés de ce centre avaient pour consigne de s'adresser aux visiteurs dans la langue de leur choix. Étant donné que la majorité des clients du bureau étaient anglophones, les employés répondaient au téléphone d'abord en anglais, puis en français. La réceptionniste, sa remplaçante et deux des trois autres réceptionnistes du bureau étaient bilingues; la réceptionniste unilingue anglaise pouvait donc facilement faire appel à ses collègues.

La politique du ministère exigeait une signalisation bilingue, comme en témoignait clairement le *Guide des locaux*. Après réception de cette plainte, le ministère a constaté que les seuls écrétiaux unilingues anglais étaient ceux qui exposaient les modalités d'inscription et de rendez-vous et qui se trouvaient au guichet des renseignements. Ces écrétiaux unilingues anglais ont d'ailleurs été enlevés car ils étaient périmés.

Le Commissaire a convenu que, en assurant une répartition judicieuse du personnel en contact avec le public, le ministère pouvait offrir aux clients des services dans la langue officielle de leur choix.

- Un francophone se plaint d'avoir reçu en anglais seulement des communications téléphoniques et écrites du Centre de main-d'œuvre pour étudiants de Sudbury. Il se plaint également de l'unilinguisme anglais de certains écrétiaux du Centre de main-d'œuvre principal de cette ville et du fait que la réceptionniste se soit adressée à lui en anglais.

Le ministère a informé le Commissaire que la téléphoniste du Centre principal répondait normalement dans les deux langues ainsi que sa suppléante bilingue. Il a ajouté toutefois que des difficultés pouvaient surgir lors de l'absence de ces deux personnes. Pour prévenir la répétition de tels incidents, les réceptionnistes renverront désormais les appels aux employés du Centre aptes à répondre dans la langue utilisée par le client.

L'instruction de la plainte a également établi que le Centre pour étudiants à Sudbury employait cinq étudiants dont un bilingue et un autre qui pouvait converser en français. Les formules envoyées au plaignant étaient disponibles dans les deux langues officielles.

Le Commissaire a recommandé que le ministère s'assure que la composition et la répartition du personnel du Centre pour étudiants permettent aux usagers de bénéficier en tout temps de services dans l'une ou l'autre des deux langues officielles.

Le ministère s'est engagé à rappeler au personnel du Centre principal la nécessité de présenter à son public une image bilingue.

• Un fonctionnaire prend que la réceptionniste du Centre de main-d'œuvre de Sudbury ne salue les visiteurs qu'en anglais et que les clients

*Dossiers nos 911, 1286—Sudbury*

Quelques mois plus tard, le ministère a fait savoir au Commissaire qu'il avait engagé une employée temporaire bilingue chargée de la réception, et a répété qu'à son avis le Centre de main-d'œuvre de Kirkland Lake était alors en mesure d'offrir en français des services professionnels satisfaisants. Le ministère s'était donc partiellement conformé aux recommandations du Commissaire, sans toutefois aller aussi loin que celui-ci l'aurait souhaité.

Après lecture de ce rapport, le Commissaire a constaté que le centre n'avait accompli aucun progrès réel dans la prestation au public de services en français. Tout en reconnaissant qu'à long terme des cours de langue amélioreraient la situation, il a fait observer que les francophones de Kirkland Lake ne pouvaient quand même pas se passer de services en français pendant trois ou quatre années. Il a donc réitéré ses recommandations en priant le ministère de leur donner suite.

Le Commissaire a estimé que le bureau de Kirkland Lake se devait de fournir des services en français à ses clients étant donné que 20 p. 100 de la population locale était francophone. Il a donc recommandé au Centre de main-d'œuvre de se plier aux exigences de la Loi sur les langues officielles aussi rapidement que possible et a demandé au ministère de lui faire parvenir, dans un délai d'un mois, un rapport sur l'état de la question.

Le Commissaire a souligné que la Loi sur les langues officielles accordait aucun délai aux ministères pour leur permettre de se conformer à ses dispositions, mais que, pour sa part, il tentait toujours de fixer dans ses recommandations des échéances raisonnables.

Le Commissaire a souligné que la Loi sur les langues officielles exigeait que le ministère aille au devant des besoins de son personnel francophone. Il a souligné que le ministère n'avait pas de personnel bilingue et qu'il n'envisageait pas de leur faire suivre des cours de français, les conseillers étant prioritaires dans ce domaine. Il projetait néanmoins d'engager un(e) employé(e) bilingue à la réception.

Le ministère a reconnu qu'un seul des conseillers de ce centre était des services bilingues. Le ministère a également admis qu'aucun des membres du personnel ne pouvait parler français. Le ministère a souligné que le Centre de Kirkland Lake pourrait mieux s'occuper des clients francophones. Tout en admettant que cette situation laissait à désirer, le ministère croyait ne pas entreprendre les dispositions de la Loi sur les langues officielles qui, lui semblait-il, accordait un certain temps aux différents ministères pour se doter d'un personnel lui permettant d'assurer au public des services bilingues.

*Dossier n° 1785—Lachute*

Une anglophone affirme que la réceptionniste du Centre de main-d'œuvre du Canada à Lachute (Québec) ne peut lui répondre en anglais. Quatre personnes arrivent ensuite et sont servies avant elle; lorsque le conseiller s'aperçoit enfin de sa présence, il lui demande de parler français.

Le ministère a informé le Commissaire que la réceptionniste unilingue en service lors de l'incident était une employée temporaire qui devait bientôt être remplacée par une réceptionniste bilingue. Il a précisé que chaque conseiller s'occupait de certaines catégories professionnelles et qu'il n'accordait d'entrevue qu'aux clients appartenant à ces catégories. C'était sans doute pour cette raison que la plaignante avait dû attendre. Il était regrettable que cela ne lui ait pas été alors expliqué. Le centre a envoyé une lettre d'excuses à la plaignante et l'a invitée à venir consulter l'un de ses conseillers si elle le désirait.

*Dossier n° 1556—Ottawa*

Un fonctionnaire anglophone prétend que le ministère n'emploie dans ses Centres de main-d'œuvre du Canada à Ottawa que des employés bilingues. Il déplore les modalités des examens de langue et l'insuffisance des cours d'anglais et de français dispensés aux employés subalternes. Le Commissaire lui a expliqué qu'il incombait alors au Conseil du trésor et au ministère concerné de déterminer les exigences linguistiques requises pour les postes de la fonction publique. Il a souligné le fait que cette politique n'allait nullement à l'encontre de la Loi sur les langues officielles.

Apparemment, le plaignant avait mal compris les méthodes d'évaluation des connaissances linguistiques, qui étaient tout à fait normales en l'occurrence, et sa méprise découlait en grande partie d'un manque d'information. Le Commissaire a attiré l'attention du ministère sur la nécessité de mieux informer ses employés de sa politique de bilinguisme et des modalités d'application de celle-ci dans les Centres de main-d'œuvre du Canada à Ottawa. Il a insisté pour que ces informations soient facilement mises à la portée de tout employé.

*Dossier n° 1432—Kirkland Lake*

Une francophone de Kirkland Lake (Ontario) se plaint que la réceptionniste du Centre local de main-d'œuvre ne parle que l'anglais. Cette personne juge que les services fournis par ce centre sont insatisfaisants, car un seul des conseillers est bilingue, et en son absence ou lorsqu'il est occupé, les clients francophones sont privés de services en français.



Le président d'un organisme d'expression française, dont le siège est au Nouveau-Brunswick, reçoit pour la seconde fois une lettre en anglais du bureau du ministère à Halifax, division du Programme des initiatives locales.

Le ministère a expliqué au Commissaire que l'enquête menée en rapport avec cette plainte avait permis de déterminer qu'il s'agissait plutôt d'une erreur administrative que de mauvaise volonté ou d'ignorance de la politique ministérielle à ce sujet.

Afin d'éviter la répétition de tels incidents, le responsable des projets d'initiatives locales pour la région de l'Atlantique a réuni son personnel pour lui rappeler la politique du ministère en matière de correspondance. De plus, le directeur général a envoyé une note de service à ce sujet à tout le personnel de la région.

#### *Dossier n° 997—Campbellton*

Un francophone se plaint de l'attitude d'une réceptionniste « qui se dit bilingue » au Centre de main-d'œuvre de Campbellton, N.-B., mais qui refuse de parler français.

Le ministère a informé le Commissaire que l'étude menée à la suite de cette plainte avait permis de déterminer que la préposée à la réception à plein temps ainsi que la réceptionniste de relève étaient bilingues et fournissaient un service d'égale qualité en français et en anglais. Il arrivait toutefois que ces deux personnes étaient occupées pour de courtes périodes à un autre travail urgent et qu'un troisième commis, ne possédant qu'une connaissance limitée de la langue française, agissait alors comme réceptionniste.

Le ministère a ajouté que des mesures avaient été prises par le directeur du bureau afin d'assurer que le public soit servi en tout temps avec courtoisie dans les deux langues officielles.

#### *Dossier n° 1788—Moncton*

Le plaignant déclare que six ou sept employés en poste au bureau du ministère à Moncton ont dû abandonner leurs cours de langue parce que leur présence était réclamée au bureau. Il juge que cela est injuste.

Le Commissaire a appris que ces employés avaient dû réintégrer le bureau car huit autres membres du personnel étaient en congé de maladie. Le ministère a estimé que le seul moyen de bien servir le public était de rappeler ses employés alors en stage de formation linguistique. Il a promis au Commissaire que ces employés reprendraient dès que possible leurs cours de langue.

quelques lacunes, toutes de caractère mineur. Le Commissaire a donc formulé les recommandations suivantes :

(1) que le Bureau de secteur de Moncton commande immédiatement et garde en tout temps un approvisionnement suffisant du formulaire MAN 712, et qu'il le mette à la disposition de sa clientèle tout comme il le fait pour la version anglaise, soit le MAN 711;

(2) que le ministère réunisse au plus tôt dans un seul document les formulaires MAN 711 et MAN 712;

(3) que le Bureau de district de l'Immigration invite les organismes extérieurs à fournir leurs documents de publicité dans les deux langues, et que ces documents, lorsque disponibles, soient étalés dans les deux langues;

(4) que désormais, toute personne qui remplit les fonctions de « réceptionniste de secteur » (unit receptionist) au bureau de Moncton et qui serait incapable de parler la langue d'un client francophone, puisse, en tout temps, au moins diriger le client vers une réceptionniste bilingue capable d'assurer le service dans la langue appropriée;

(5) que le ministère, advenant l'absence de la « réceptionniste de secteur » (unit receptionist), prenne les mesures qu'il jugera à propos pour assurer que les clients francophones du bureau de Moncton puissent, en tout temps durant cette absence, être servis dans leur propre langue lorsqu'ils s'adressent aux « réceptionnistes de secteur » (unit receptionists) par téléphone ou en personne.

## PLAINTES

### Dossier n° 790—Summerside

Un francophone affirme qu'au Centre de main-d'œuvre de Summerside, l'Ile-du-Prince-Édouard, le personnel n'est pas en mesure de fournir au public des services dans les deux langues officielles, bien que l'accueil au téléphone soit bilingue.

Le ministère a informé le Commissaire qu'à ce bureau deux postes occupés par des unilingues anglais avaient été désignés bilingues. Il a ajouté que la préposée aux renseignements, qui n'était pas bilingue selon les critères du Bureau des langues, pouvait néanmoins servir le public en français. D'autre part, un conseiller avait déjà une certaine connaissance du français puisqu'il suivait depuis deux ans un programme de formation linguistique. Un autre conseiller venait de s'inscrire à un cours de français qui allait commencer incessamment.

Comme on ne pouvait renvoyer un employé pour la seule raison qu'il n'était pas bilingue et qu'il n'y avait pas d'autres moyens de doter le bureau d'un employé bilingue, le directeur avait été autorisé à recruter temporairement un conseiller bilingue supplémentaire jusqu'à ce qu'un poste devienne vacant.

recommandations. Il est à noter cependant que plus de 100 cas étaient et à Edmonton au sujet de la mise en vigueur du programme de bilinguisme. Il semble que le ministère ait éprouvé à ce sujet des difficultés certaines au niveau de l'information et de la communication.

Pour ce qui est de la langue de travail, le ministère a désigné comme unités de langue française tous les centres de main-d'œuvre et d'immigration de la région du Québec. Il devra, cependant, s'assurer que ses bureaux situés dans des régions où les francophones sont minoritaires offrent spontanément leurs services bilingues dans les deux langues officielles. L'épineuse question de l'existence de cours de formation dans les deux langues officielles mérite également une attention particulière.

## ÉTUDE SPÉCIALE — SERVICES DE MONCTON

Cette étude, menée au cours de l'été 1972, visait à déterminer dans quelle mesure le Bureau de secteur de la Main-d'œuvre et le Bureau de district de l'Immigration de Moncton fournissaient leurs services au public dans les deux langues officielles.

Dans le domaine des panneaux, affiches et publications, la situation était tout à fait satisfaisante bien qu'on ait remarqué deux omissions relativement mineures : la carte d'inscription au Bureau de la main-d'œuvre (MAN 712) et un prospectus d'assurance privée n'existaient qu'en anglais.

En matière de correspondance, les deux bureaux répondaient au courrier reçu dans la langue appropriée en ne confiant qu'un minimum de travaux de traduction à l'extérieur. De même, ils avaient pris leurs dispositions pour que les annonces publiées par les media soient diffusées équitablement en français et en anglais.

Pour ce qui est de la compétence linguistique du personnel, l'enquête a révélé que les deux bureaux (Main-d'œuvre et Immigration) avaient désigné et réparti un nombre suffisant de postes bilingues pour offrir à l'administrateur des services d'accueil, d'orientation et d'immigration dans la langue de son choix; un seul de ces postes, celui de titulaire au Bureau de secteur de la Main-d'œuvre, avait un titulaire unilingue. Mais au delà de leur capacité bilingue, ces deux bureaux semblaient soucieux d'accroître leur « souplesse » linguistique par des cours de langue et un recrutement approprié.

Étant donné la grande compréhension dont ont fait preuve ces bureaux et les initiatives méritoires qu'ils ont prises pour satisfaire aux exigences de la Loi sur les langues officielles, l'étude n'a décelé que



saire relatives aux services que fournissent plusieurs bureaux de la région de Winnipeg. Trois de celles qui ne l'étaient pas au mois de mars 1972 (concernant la présentation des contrats, la formation linguistique et les services assurés aux immigrants, à l'aéroport de Winnipeg) semblent maintenant appliquées, et deux autres (concernant les communications téléphoniques et les services de réception) semblent avoir été observées dans tous les Centres de main-d'œuvre où existe une demande évidente de services bilingues; les Centres de Winnipeg-Ouest et Winnipeg-Nord offriront les mêmes services lorsque les postes tout dernièrement déterminés comme bilingues seront remplis. Les autres centres, notamment celui de l'université de Winnipeg, sont prêts à transmettre, le cas échéant, les demandes au centre principal de Winnipeg. Le ministère n'avait pas réussi, en octobre 1973, environ 18 mois après l'échéance d'avril 1972 que le Commissaire avait proposée, à rendre bilingues tous les formulaires unilingues de la région, utilisés pour communiquer avec le public et, d'autre part, il n'a pas fixé une autre échéance pour l'achèvement de cette tâche. Il a expliqué que l'exécution du travail avait été considérablement retardée en raison d'une vacance prolongée du poste de coordonnateur régional des formulaires, mais cette explication ne justifie que difficilement un aussi grand retard.

Le ministère a déclaré que seulement trois des 32 recommandations formulées par le Commissaire en mars 1972 à propos des bureaux d'immigration du Canada à l'étranger n'étaient pas encore entièrement appliquées en octobre 1973; l'une de ces recommandations traitait des programmes de perfectionnement offerts aux anglophones et aux francophones, et les deux autres traitaient de l'établissement et de la mise à jour d'inventaires permanents des aptitudes linguistiques des fonctionnaires des services extérieurs. Le ministère a indiqué que les cours de perfectionnement qu'il offre à ses employés affectés à l'étranger se donnaient pour la plupart en anglais, mais que les services de coordination, eux, étaient bilingues. Il a ajouté que de longs stages dans les centres de main-d'œuvre et dans d'autres établissements, au Canada et à l'étranger, complétaient les cours donnés en classe, et que les stagiaires recevaient normalement cette formation dans les régions où leur langue maternelle est utilisée régulièrement. En ce qui concerne la présence d'un nombre suffisant de fonctionnaires bilingues pour travailler à l'étranger, le ministère espère que le recensement des exigences linguistiques des postes, pour l'ensemble de l'administration fédérale, terminé le 31 décembre 1973, permettra de trouver une réponse satisfaisante à la substance des recommandations du Commissaire à ce sujet.

Durant les trois premières années, le Commissaire a reçu 160 plaintes mettant en cause le ministère. Des 155 dossiers fermés, 27 ont révélé des contraventions à la loi et le Commissaire a formulé douze

## APPRECIATION

La collaboration de ce ministère, lorsque le Commissaire a institué les plaintes et présenté des recommandations, a été dans l'ensemble prompte et entière. Plus de 70 recommandations, formulées à la suite d'études spéciales et de l'instruction de plaintes, ont fait l'objet d'une attention qui dénote le souci du ministère de remplir ses obligations envers le public, au Canada et à l'étranger.

Cependant, les efforts du ministère en vue d'atteindre certains objectifs se sont heurtés à des difficultés et il y a eu des retards dans quelques domaines : la traduction des formulaires propres au bureau de Winnipeg se fait attendre depuis longtemps; le ministère n'est toujours pas capable d'obtenir pour ses fonctionnaires affectés à l'étranger, ou de leur fournir, la même formation spécialisée dans l'une des langues officielles; et, deux ans après l'envoi des recommandations du Commissaire, l'institution n'avait pas encore affecté, dans la région de Winnipeg, de préposés bilingues aux services de réception de tous les bureaux.

Dans les bureaux d'immigration à l'étranger, quelques-unes des recommandations du Commissaire (notamment celles qui concernaient les téléphonistes et la diffusion des documents internes) avaient trait à des domaines dont le ministère des Affaires extérieures assume la responsabilité depuis l'intégration des services de soutien à l'étranger (ces questions sont abordées dans la section du présent chapitre consacrée à ce ministère). Le ministère de la Main-d'œuvre et de l'Immigration a établi un mécanisme global de surveillance visant à assurer le respect intégral de ses lignes de conduite administratives dans ces bureaux situés tant au Canada qu'à l'étranger.

D'avril 1971 à mars 1973, le bureau du Commissaire a entrepris cinq études des services du ministère. Quatre portaient sur les services assurés à Montréal, Moncton, Winnipeg et dans la région de la capitale nationale, et la cinquième, sur les activités de divers bureaux d'immigration situés à l'étranger. Au mois d'octobre 1973, le Commissaire s'est rendu compte que l'application des recommandations relatives aux bureaux de Montréal, de Moncton et d'Ottawa-Hull était tout à fait en bonne voie. Ces recommandations concernaient autant les formulaires bilingues et la publicité dans les deux langues que le perfectionnement, en fonction de priorités, d'un personnel suffisant pour répondre dans la langue officielle des interlocuteurs. D'autre part, le dernier contrôle de l'activité du ministère indique que ce dernier est en voie d'appliquer la plupart des 18 recommandations du Commis-

Le Commissaire a transmis ces renseignements au plaignant et a précisé que, selon lui, la préséance pouvait être accordée à l'une ou l'autre des langues officielles sur les cartes de visite, au choix du titulaire.

*Dossier n° 1535—Signalisation*

Le Commissaire reçoit une plainte selon laquelle les inscriptions qui figurent sur une enseigne placée à l'extérieur d'un édifice abritant le service des expositions d'Information Canada à Ottawa sont rédigées uniquement en anglais.

Information Canada a accepté de remplacer cette enseigne par une autre bilingue.

JUSTICE

RÉSUMÉ

Le ministère de la Justice a offert une formation linguistique à 90 juges afin de répondre aux exigences de la Loi sur les langues officielles. Selon le ministère, les services au public sont actuellement offerts en anglais ou en français « dans la mesure du possible ».

En novembre 1973, le ministère a répondu au questionnaire du Commissaire en déclarant qu'il avait formulé sa politique en matière de bilinguisme en 1967 et qu'il l'avait intensifiée depuis. Le ministère dit évaluer constamment l'application du programme. Aucun délai précis n'avait été fixé pour la mise en œuvre de la politique, mais en ce qui concerne l'augmentation du pourcentage d'employés bilingues, cet objectif devrait être atteint d'ici 1978.

Le ministère affirme reconnaître l'égalité de statut du français et de l'anglais. Il a organisé des cours privés en plus des cours de langue offerts par la Commission de la fonction publique. Plusieurs unités de langue française ont été créées. Les opérations internes (réunions, notes de service, etc.) se font si possible dans les deux langues. La surveillance sera de plus en plus assurée dans les deux langues car le nombre des postes de surveillants identifiés comme bilingues a augmenté.

En ce qui concerne l'importance de son effectif bilingue, le ministère a déclaré qu'il y avait évolution dans certaines sections, mais qu'il restait encore des secteurs, notamment à l'administration centrale, où tout restait à faire. Le ministère espère toutefois avoir un personnel bilingue suffisant d'ici quelques années. Il a, d'autre part, signalé que les communications téléphoniques, les imprimés, la correspondance et les écrits étaient bilingues.



Dossiers nos 1163, 1179, 1234—*Publications*

Quatre plaignants, deux francophones et deux anglophones, reprochent à Information Canada de ne diffuser que la version anglaise de deux études sur le problème de la communication au niveau de la communauté.

Information Canada a déclaré que le délai entre la publication des textes anglais et français était imputable au temps requis pour la traduction, la révision et la transcription du texte final.

Le Commissaire a recommandé que les publications d'intérêt général paraissent, dans la mesure du possible, simultanément même si le respect de ce principe devrait retarder leur parution.

#### *Dossier n° 1203—Cartes de visite*

Un plaignant reçoit une circulaire sur les cartes de visite rédigée en anglais et en conclut que l'Office des normes du gouvernement canadien ne l'a publiée que dans cette langue. Il s'offusque également du fait que, selon cette circulaire, le français n'aura la priorité sur l'anglais qu'au Québec. Il estime que cette limitation va à l'encontre de l'esprit de la Loi sur les langues officielles puisqu'en l'occurrence, les fonctionnaires de langue française travaillant, par exemple, dans des régions francophones du Nouveau-Brunswick ne pourraient pas utiliser des cartes de visite accordant la préséance au français.

Le plaignant adresse également au Commissaire une photocopie de l'édition française de *Contact*, bulletin publié par le ministère de la Consommation et des Corporations. Le nom du ministère y apparaît bien dans les deux langues officielles, mais la priorité est donnée à l'anglais. Le plaignant impute ce fait à la circulaire mise en cause.

L'Office des normes du gouvernement canadien a fait savoir au Commissaire que cette circulaire avait été publiée dans les deux langues officielles, mais qu'en raison de retards dus à la traduction et à l'impression, la version française n'avait paru que trois mois plus tard. L'Office a déclaré avoir en cela suivi les directives régissant la préséance linguistique dans les symboles ministériels émises par Information Canada et par le Comité interministériel sur le programme de diffusion du symbole fédéral.

Le Commissaire a signalé à Information Canada que le fait d'accorder la préséance au français dans la province de Québec ne constituait qu'un minimum, et que des directives plus flexibles permettraient l'extension de cette priorité à certaines régions extérieures au Québec. Information Canada s'est déclaré en parfait accord avec le Commissaire.

## INFORMATION CANADA — « L'homme qui en savait trop »

### APPRECIATION

Le ministre a fait part au Commissaire des mesures prises à la suite de cette plainte afin d'assurer au public des services dans les deux langues officielles. La direction de la Commission a émis une directive insistant sur la nécessité de répondre aux appels téléphoniques dans les deux langues officielles et de prendre soin de transmettre les appels aux employés qui s'expriment dans la langue du client.

*Au cours des trois dernières années financières, quatorze plaintes ont été déposées contre cet organisme. Lorsqu'il s'est agi de trouver des solutions aux problèmes soulevés, sa collaboration a été bonne.*

*Information Canada indiquait, en novembre 1973, qu'ayant senti le besoin de suppléer une lacune dans ses campagnes d'information, un questionnaire avait été distribué à ses employés dans le but d'élaborer à leur intention un programme efficace d'information sur la nouvelle orientation du gouvernement en matière de langues officielles.*

Dans sa réponse au questionnaire envoyé par le bureau du Commissaire, Information Canada précise avoir adopté, en mai 1972, une politique du bilinguisme tenant compte des dispositions de la Loi sur les langues officielles et des directives du Conseil du trésor. Son application relève du chef de la division des langues officielles.

Le programme mis en œuvre vise à assurer des services en anglais et en français conformément aux exigences de la loi et à permettre aux employés de travailler dans la langue officielle de leur choix. Afin d'atteindre cet objectif, l'organisme offre des cours de formation et de perfectionnement dans les deux langues officielles, et procède à l'identification des postes bilingues et à la traduction des manuels. Les services auxiliaires sont assurés en anglais et en français. L'organisme ajoute que, dans tous les cas où la chose est possible, les employés sont libres de travailler et de communiquer avec leur supérieur dans la langue de leur choix. De plus, les centres d'information de Montréal et d'Ottawa constituent des unités de langue française.

Information Canada affirme que les consultations sont fréquentes entre le siège social et les bureaux régionaux, ce qui permet des évaluations périodiques, et parfois en profondeur, des programmes de bilinguisme. L'organisme envisage toutefois d'entreprendre une étude approfondie de la situation après avoir complété le programme d'identification et de désignation des postes bilingues.

Le ministre a informé le Commissaire que pour ce concours, la sélection préliminaire des candidats s'était faite d'après le Permatrénance pratique de la Commission de la fonction publique. Le poste exigeait la connaissance pratique des deux langues officielles et cinq candidats seulement remplissaient toutes les conditions.

Lors de l'entrevue, on a informé les candidats qu'ils avaient le droit d'être interrogés dans la langue de leur choix et qu'il leur faudrait aussi répondre à quelques questions dans l'autre langue officielle, car le comité de sélection devait s'assurer que les candidats étaient bilingues. La connaissance pratique des deux langues officielles était en effet exigée du personnel de la Commission, car celle-ci devait tenir des réunions à travers le pays et les procès-verbaux seraient rédigés en français ou en anglais sans aucune traduction.

A l'examen, les candidats ont dû traduire un paragraphe du français à l'anglais et un autre de l'anglais au français. Cette procédure avait été approuvée au préalable par la Commission de la fonction publique. Le ministre a précisé qu'à aucun moment de l'entrevue on n'a systématiquement interrogé un candidat dans une langue autre que celle de son choix. A la fin de chaque entrevue, on a demandé au candidat s'il était satisfait, s'il avait des questions à poser au comité ou s'il désirait formuler des observations. Tous se sont déclarés satisfaits du déroulement de l'entrevue.

Le ministre a ajouté que c'était par inadvertance que le plaignant avait été informé en anglais des résultats du concours et il a regretté cet impair.

Le Commissaire a accepté les explications du ministre.

#### *Dossier n° 1060—Office de tourisme*

Un organisme québécois se plaint d'avoir reçu de l'Office de tourisme une lettre rédigée en anglais.

Le ministre a informé le Commissaire que, règle générale, l'Office de tourisme envoyait une circulaire bilingue aux organismes pour leur demander des dépliant publicitaires pour distribution dans ses bureaux à l'étranger. La réception de ces documents leur était immédiatement confirmée par une autre circulaire bilingue. Ce serait par mégarde que le commis chargé de l'expédition aurait fait parvenir au plaignant une lettre rédigée en anglais seulement. Le ministre lui a signalé son erreur et a pris des dispositions afin d'éviter de tels incidents.

#### *Dossier n° 1544—Commission du système métrique*

Le plaignant téléphone à la Commission du système métrique le 6 décembre 1972 à 16 h 20. Il affirme qu'on lui a répondu en anglais et qu'on ne lui a pas offert de services en français.



Le plaignant se présente à un concours pour un poste bilingue organisé par la Commission du système métrique, organisme relevant du ministère. Il déclare entendu au préalable avec la Division de dotation en personnel du ministère pour que l'entrevue ait lieu en français mais que celle-ci s'est poursuivie en anglais et que le résultat du concours lui a été transmis en anglais. Le plaignant ajoute avoir déjà réussi le test de bilinguisme de la Commission de la fonction publique.

*Dossier n° 850—Concours*

## PLAINTES

Le Commissaire, en raison de l'importance des problèmes restés en suspens et aussi du fait que la plupart des mesures positives du ministère se résument à la publication de lignes directrices, se propose de poursuivre activement le contrôle déjà amorcé.

Une seule plainte a fait l'objet d'une recommandation de la part du Commissaire. Il s'agissait de l'unilinguisme pratiqué par le ministère durant l'Exposition internationale du livre tenue à Dallas (États-Unis) en 1971. Le Commissaire a recommandé au ministère que lors d'expositions semblables ce dernier fournisse des services et fasse sa publicité en respectant l'égalité des deux langues officielles. Les deux autres plaintes fondées concernaient la langue de service à l'Office de tourisme et à la Commission du système métrique.

Enfin, outre deux recommandations qui n'échoient qu'en 1974 et qui semblaient, en octobre 1973, en bonne voie d'être appliquées (la première concerne les manuels d'administration et autres ouvrages de référence du ministère et la seconde les formules utilisées par le public et le personnel), quatre recommandations exigeaient, à la lumière de la résolution du Parlement de juin 1973 sur les langues officielles, une action concertée avec le Secrétariat du Conseil du trésor ou la Commission de la fonction publique. Il s'agit de celles qui portent sur la composition linguistique du personnel des bureaux situés à l'étranger (statistiques, affectations des agents et plans de recrutement) et sur l'évaluation des connaissances linguistiques des candidats aux postes d'agent.

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inefficace si le ministère ne contrôlait pas de près l'application de ses directives. Il n'a d'ailleurs proposé aucune mesure concrète pour assurer

la mise en œuvre de ce document.

En outre, le ministère a demandé à ses bureaux des délégués commerciaux et à ses offices de tourisme d'établir et de tenir à jour un dossier contenant les directives, les circulaires et les autres documents relatifs au bilinguisme. De même, le ministère a pris des mesures pour appliquer la plupart des recommandations concernant sa désignation sur les publications et les imprimés. Il a également réagi de façon positive aux recommandations du Commissaire visant des domaines tels que les films, les bibliothèques, les contacts avec les media et les communications internes.

Au cours des trois dernières années financières, le Commissaire a reçu au sujet de ce ministère treize plaintes dont trois étaient fondées. Ces dernières ont été réglées de façon satisfaisante.

Le ministère n'a pas prévu de prendre les mesures nécessaires pour appliquer treize recommandations. Pour sept d'entre elles, il fait intervenir, ignorant ainsi l'article 10, paragraphe 2, de la Loi sur les langues officielles, le facteur demande pour justifier son inaction. Or, la loi est sans équivoque à ce propos : les institutions fédérales sont tenues de fournir leurs services à l'étranger et en anglais et en français, en respectant le statut d'égalité que le législateur a conféré aux deux langues officielles. C'est ainsi que les bureaux à l'étranger continuent à recevoir les appels téléphoniques seulement dans la langue du pays où ils sont situés, même si celle-ci est l'anglais ou le français; que les publications, les formules et les articles de papeterie (enveloppes, papier à lettres...) peuvent être imprimés que dans une des deux langues officielles; que certains panneaux, à l'étranger, sont susceptibles de n'être rédigés que dans une langue tierce et que la participation du ministère aux foires et expositions tenues à l'étranger ne reflète pas toujours la dualité linguistique du Canada. Dans un ordre d'idées différent, le ministère, bien qu'il ait accepté d'appliquer certaines des recommandations touchant l'Office de tourisme, a estimé que ce dernier a, pour principale raison d'être, d'assurer des services aux nationaux des pays où il entretenait des bureaux et qu'il n'a pas, par conséquent, à se conformer à toutes les dispositions de la Loi sur les langues officielles. C'est en se fondant sur cette interprétation restrictive de la loi que le ministère n'a pas prévu de mesures pour appliquer quatre des recommandations qui visaient spécifiquement l'Office de tourisme et qui abordaient les domaines des formules, des affiches publicitaires, des annonces que l'Office fait placer dans la presse locale et des services oraux assurés par les employés de l'Office à l'étranger. Le Commissaire, insatisfait de cette situation, compte poursuivre l'examen de cette question avec le ministère.

\*Au cours de l'année financière 1971-1972, le bureau du Commissaire a entrepris d'étudier simultanément le fonctionnement de trois ministères fédéraux en Europe occidentale et dans les Amériques : Affaires extérieures, Industrie et Commerce (y compris l'Office de tourisme du gouvernement canadien), Main-d'œuvre et Immigration. On trouvera ailleurs dans ce chapitre les évaluations portant sur les ministères des Affaires extérieures et de la Main-d'œuvre et de l'Immigration.

Parmi les mesures positives prises par le ministère de l'Industrie et du Commerce à la suite de l'étude, il convient de relever la publication, en octobre 1973, d'une politique en matière de bilinguisme où le ministre donne les lignes directrices générales à l'intention de ses services administratifs au Canada et à l'étranger. Ce document s'est fait assez longtemps attendre, mais au moins couvre-t-il plusieurs questions soulevées dans les recommandations du Commissaire. Cette initiative constitue déjà un pas dans la bonne voie, mais elle pourrait se révéler tenter de les appliquer.

Malgré les quelques maigres résultats mentionnés ci-dessous, le Commissaire a l'impression, devant la façon dont le ministère a appliqué ses recommandations, que celui-ci croit volontiers au vieil adage : « Qui trop embrasse mal étreint ». Sept des 38 recommandations formulées par le Commissaire pouvaient requérir une action graduelle ou de longue haleine car il s'agissait de recruter, d'évaluer, de former et de répartir l'effectif bilingue ou unilingue de façon à assurer les services au public dans les deux langues officielles. Les autres concernaient des questions plus tangibles telles que l'information écrite, les films, les manuels, les formules, les écrits et les avis. Le Commissaire estime que le ministre aurait pu suivre ces recommandations avec plus d'énergie, de diligence et d'esprit d'innovation. Au lieu de cela, il a passé plus de temps à contester sur treize des 38 recommandations qu'il n'en a mis à

## APPRECIATION

### INDUSTRIE ET COMMERCE\* — « Le grand bazar »

Au dire du ministère, l'anglais et le français jouissent du même statut, des mêmes droits et des mêmes privilèges. Ainsi, les cours de perfectionnement à l'intention du personnel sont offerts dans les deux langues officielles. On a créé une section de terminologie et de linguistique pour améliorer la qualité des communications écrites. Une unité de langue française a été formée au sein du ministère et dans d'autres sections une bonne partie du travail se fait en français. Les communications internes se font en anglais ou en français ou dans les deux langues. Le ministère a ajouté que la surveillance s'exerceait surtout en anglais, mais que cela changerait graduellement avec le recrutement de francophones et les « retombées » de la formation linguistique.



plaignante, voyant qu'il n'y avait à l'époque aucun poste vacant de sténodactylo ne comprenant que le français, en avait conclu que les postes unilingues étaient réservées aux seules candidates anglophones. Le ministère a reconnu que le bulletin d'information avait pu induire la candidate en erreur car il ne précisait pas clairement que les seuls postes unilingues alors vacants n'exigeaient que l'anglais. Le ministère a promis de modifier son bulletin pour éviter qu'une telle erreur ne se reproduise.

*Dossier n° 1436—Note de service*

Une association canadienne-française se plaint d'avoir reçu du ministère des documents accompagnés d'une note de service rédigée en anglais.

À la suite de l'intervention du Commissaire, le ministère a présenté ses excuses à l'association et rappelé à ses chefs de services de prendre toutes les mesures nécessaires afin que la Loi sur les langues officielles soit respectée.

## FINANCES

### RÉSUMÉ

Le ministère a répondu au questionnaire envoyé par le Commissaire en octobre 1973 en disant que « dans les conditions actuelles, le bilinguisme était satisfaisant » au sein de ses services. Il a notamment annoncé qu'il offrait un programme interne de formation linguistique pour compléter les cours du Bureau des langues de la Commission de la fonction publique.

La politique et les objectifs du ministère concernant les langues officielles étaient « en général les mêmes que ceux du gouvernement du Canada ». Le conseiller en bilinguisme est chargé de mettre en œuvre les programmes du ministère. Selon le ministère, un certain nombre de programmes permanents font « l'objet d'une évaluation constante qui porte sur leur efficacité et leur faculté de s'adapter aux changements de conditions » (objectif inattaquable) et le ministère croit que les programmes en question ont été préparés afin de répondre à l'augmentation de la demande de services bilingues.

Apparemment, le ministère ne s'est pas fixé de délais pour mettre en œuvre son programme de bilinguisme. Par exemple, les manuels existants ont été traduits graduellement et les nouveaux sont publiés dans les deux langues officielles.

L'enquête du Commissaire a révélé qu'à l'époque où la plaignante postulait cet emploi, le ministère n'avait besoin que de sténodactylos unilingues anglaises ou bilingues, tous les postes accessibles à des unilingues francophones étant déjà pourvus. De l'avis du ministère, la

le ministère a fait preuve d'injustice. refusant un poste qu'elle aurait pu obtenir si elle avait été anglophone, dactylos tant unilingues que bilingues. La plaignante estime qu'en lui d'information du ministère, celui-ci recherchait à l'époque des sténodactylos tant unilingues que bilingues. Selon le bulletin n'étaient attribués qu'aux candidates anglophones. Sa demande a été rejetée sous prétexte que les postes unilingues sa candidature à un poste de sténodactylo au ministère. Elle affirme que Une francophone n'ayant que quelques notions d'anglais pose sa

#### *Dossier n° 1347—Postes unilingues*

Le plaignant reçoit du ministère de la documentation dans une enveloppe portant uniquement l'inscription « First Class ». Le ministère a informé le Commissaire que les mesures nécessaires avaient été prises pour obtenir dans les plus brefs délais des tampons bilingues.

#### *Dossier n° 1120—Tampou*

Quant au grief portant sur la composition ethnique, le Commissaire a informé les plaignants que cette question ne relevait pas de la Loi sur les langues officielles.

De son côté, le directeur général de Relance a informé le Commissaire que les formules internes étaient disponibles dans les deux langues officielles. Règle générale, l'auteur des rapports soumis à Ottawa et ailleurs pouvait les rédiger dans la langue de son choix sauf dans le cas d'un destinataire unilingue où la langue de ce dernier était utilisée. Le directeur général a ajouté que les moyens mis à la disposition de Relance ne lui permettaient pas de publier tous ses rapports dans les deux langues officielles et que, le cas échéant, la traduction devait être faite par le destinataire. Enfin, le Commissaire a constaté que le rapport annuel 1971-1972 contenait des chapitres rédigés tantôt en français, tantôt en anglais.

Le service ainsi que les rapports étaient préparés dans la langue préférée de l'auteur. De son côté, le directeur général de Relance a informé le Commissaire que les formules internes étaient disponibles dans les deux langues officielles. En outre, la société encourageait ses employés à communiquer entre eux dans la langue de leur choix et les notes de service ainsi que les rapports étaient préparés dans la langue préférée de l'auteur.

Le ministre n'a pu répondre au questionnaire du Commissaire en raison d'une « réorganisation importante » de ses opérations, mais a donné l'assurance au Commissaire qu'il continuerait à faire « tout son possible » pour observer la Loi sur les langues officielles.

## PLAINTES

### Dossier n° 515—Publicité

Le plaignant signale au Commissaire que des appels d'offres du ministère n'ont paru que dans les quotidiens de langue anglaise de Winnipeg. Comme il n'existe pas de quotidiens de langue française dans plusieurs régions du Canada, il suggère aux institutions fédérales d'utiliser les hebdomadaires de langue française pour faire passer leurs messages.

En réponse, le ministère a indiqué qu'il n'y avait pas dans la région concernée d'entrepreneurs dont la langue de travail était le français et qui auraient manifesté le désir de communiquer en français. Le ministère a ajouté que s'il publiait ses appels d'offres dans les hebdomadaires de langue française, il faudrait que les plans et les cahiers de charges soient également établis en français. Cette éventualité représenterait des difficultés au niveau professionnel et entraînerait des dépenses disproportionnées par rapport aux besoins réels.

Le Commissaire a recommandé à l'institution d'utiliser les hebdomadaires de langue française dans les régions où il n'y a pas de quotidiens en français pour toute publicité autre que les appels d'offres.

### Dossier n° 764—Relance

Des francophones du Nouveau-Brunswick s'étonnent que dans la région de Richibouctou, majoritairement de langue française, trois des quatre préposés au service du public de Relance\* soient de langue anglaise. Ils reconnaissent qu'au moins deux d'entre eux sont partiellement bilingues, mais comprennent mal « que si peu d'Acadiens connaissant les gens et le milieu fassent partie de l'équipe dirigeante ». Ils ajoutent que la plupart des formules et des rapports sont seulement en langue anglaise.

Après avoir communiqué avec les autorités compétentes, le Commissaire a conclu que la société Relance se conformait d'une manière générale à la Loi sur les langues officielles. Quarante-neuf des 55

\* Relance, société incorporée en vertu de la législation du Nouveau-Brunswick, a été établie à la suite d'une entente entre le ministère de l'Expansion économique régionale et le ministère de l'Éducation. Son but est de faire des recherches en vue de trouver des solutions aux problèmes de la pauvreté.



Depuis 1970, le ministère de l'Expansion économique régionale a fait l'objet de dix plaintes, dont une seule a nécessité une recommandation de la part du Commissaire. La plupart des autres plaintes se sont avérées non fondées après enquête. Le ministère a bien collaboré avec le bureau du Commissaire dans l'instruction des plaintes, qui ont toutes été réglées dans des délais raisonnables.

## APPRECIATION

EXPANSION ECONOMIQUE REGIONALE — « Bienvenue Mr. Marshall »

30 mars 1973.

La version française de « Native Trees of Canada » a été publiée le cours et que des directives précises seraient émises afin de répondre aux exigences de la Loi sur les langues officielles.

Il lui a également fait savoir qu'une révision générale de sa politique concernant la traduction et la distribution de ses publications était en cours et qu'il était prévu qu'elle soit terminée au début de 1973.

Le ministère a informé le Commissaire que « Les arbres indigènes du Canada » serait publié vers la fin de 1972 ou au début de 1973.

Le ministère a fait savoir au Commissaire que ce retard était dû aux difficultés occasionnées par la traduction et la révision des textes français. Lors de l'instruction d'une plainte semblable faite au cours de 1971-1972, le Commissaire avait indiqué qu'un tel écart de temps entre la parution des deux versions d'un même ouvrage était contraire à la Loi sur les langues officielles et avait alors recommandé au ministre de prendre les mesures appropriées afin d'éviter la répétition de telles situations.

Le ministère a fait savoir au Commissaire que ce retard était dû à la version anglaise de « Native Trees of Canada » alors que la version anglaise était déjà en circulation depuis 1969.

Le plaignant fait grief au ministère de ne pas avoir encore publié, en novembre 1972, la version française du volume « Native Trees of Canada » alors que la version anglaise était déjà en circulation depuis 1969.

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Le ministère a ajouté que ses besoins en matière de traduction vers le français dépassaient les possibilités du Bureau des traductions du Secrétariat d'Etat et qu'il essayait de trouver une solution à ce problème.

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Le Commissaire s'est dit satisfait de constater qu'à la suite de cette plainte le ministère avait décidé de prendre les mesures appropriées afin d'améliorer, dès la saison touristique suivante, les services offerts au public francophone. Le Commissaire a cependant fait remarquer au ministère qu'il était important que le public soit informé de l'existence de visites guidées de même que de programmes audio-visuels en français et lui a recommandé de faire le nécessaire à cet égard.

A la fin de l'été 1973, le ministère a informé le Commissaire que sur cinq étudiants engagés pour la saison trois étaient bilingues, que les quatre films avaient été présentés en français et en anglais et que les corrections avaient été apportées à la brochure.

• Un francophone signale qu'à l'aéroport de Sudbury un écran unilingue anglais se lit comme suit : « The weather forecast by Environment Canada — A.E.S. Sudbury weather office ».

Le ministère a fait savoir au Commissaire que cet écran avait été remplacé par un autre bilingue.

#### *Dossiers nos 972, 1733—Correspondance*

• Un francophone se plaint d'avoir reçu du ministère un document des Nations unies en anglais, accompagné d'une lettre également en anglais, alors qu'il en avait fait la demande en français.

Le ministère a fait savoir au Commissaire que c'était par mégarde que le document avait été adressé au plaignant en anglais, la politique du ministère étant de veiller à ce que le public soit toujours servi dans la langue de son choix. Le ministère a demandé au Commissaire de bien vouloir transmettre ses excuses au plaignant.

• Un francophone fait grief au ministère de lui avoir envoyé un document dans une enveloppe portant l'estampille unilingue : « Wye Marsh Wildlife Centre, Canadian Wildlife Service, Box 100, Midland, Ontario ».

Le ministère a fait savoir au Commissaire que cette estampille devait être remplacée par une estampille bilingue et que l'inscription française se lirait comme suit : « Le Centre d'Histoire Naturelle du Marais Wye, Service canadien de la Faune, Case postale 100, Midland, Ontario ».

#### *Dossiers nos 1145, 1539—Publications*

• Un francophone fait grief au ministère de n'avoir publié qu'en langue anglaise l'opuscule intitulé « Felling and Bucking Hardwoods — How to Improve Your Profit ».

Le plaignant reproche au ministère de ne pas avoir un agent des pêches bilingue dans la région de Pubnico dont la majeure partie de la population est d'origine acadienne.

Le ministère a précisé dans sa réponse au Commissaire que deux de ses directions étaient représentées dans la région, celle de la Conservation et Protection et celle de l'Inspection. L'agent affecté à Pubnico était un francophone bilingue tandis que l'inspecteur chargé de se rendre aux neuf usines de Parrington Passage était un bilingue originaire de Pubnico. Par contre, l'inspecteur responsable des cinq usines situées à Pubnico était un anglophone unilingue.

Le Bureau de district de Yarmouth, dont quelques membres du personnel étaient bilingues, desservait également la région de Pubnico. Le ministère a assuré le Commissaire qu'il était tout à fait disposé à offrir des services d'inspection en français à Pubnico mais a ajouté qu'il n'avait pas été mis au courant d'une demande en ce sens.

Dossiers n°s 1523, 1636—Ontario

• Après avoir visité la réserve zoologique de Wye Marsh en juillet 1972, un francophone signale au Commissaire qu'il n'y avait pas de guide pouvant s'exprimer en français, que les cinq films présentés au public étaient exclusivement en anglais et que la brochure d'information publiée en français était périmée.

Le ministère a informé le Commissaire qu'à la mi-juillet 1972, et ainsi qu'un étudiant capable de se tirer d'affaire en français. Parmi les sept étudiants que le ministère avait engagés pour l'été, deux étaient à même de servir les visiteurs dans les deux langues officielles. Le ministère a cependant regretté de n'avoir pas été en mesure d'offrir plus de services bilingues en 1972. Pour l'été 1973, en revanche, il s'efforcerait d'engager au moins quatre étudiants bilingues.

Le ministère a ajouté que l'un des cinq films présentés en anglais en 1972 existait également en français. Les projections en français ne se faisant que sur demande expresse, le ministère avait placé un écran invitant le public à se renseigner sur les présentations audio-visuelles dans cette langue. Pour la saison 1973, le ministère projetait de présenter quatre films en anglais et trois en français. Il tentait, au moment de l'instruction de la plainte, de faire traduire le quatrième en français. Enfin, selon le ministère, la brochure française distribuée en 1972 au centre d'accueil indiquait effectivement des heures de visite périmées. Cette erreur se retrouvait également dans la brochure anglaise et fut corrigée. Quant à la rectification dans la brochure française, elle apparaîtrait dans l'édition prévue pour la saison 1973.



Après examen de la question, le ministère a décidé d'embaucher un nouvel agent des pêches bilingue à qui il a fait suivre un cours intensif de formation théorique et pratique avant de l'envoyer au bureau de district de Charlottetown.

Un plaignant de l'Île-du-Prince-Édouard rapporte que le représentant dans cette province de la Direction de la conservation et protection du Service des pêches est unilingue anglais et n'est pas en mesure de traiter en français avec les pêcheurs qui sont, pour la plupart, d'expression française.

*Dossier n° 792—Île-du-Prince-Édouard*

## 2. Service au public

Le ministère a informé le Commissaire qu'il avait estimé nécessaire d'exiger la connaissance des deux langues officielles au Québec car le titulaire du poste serait appelé à superviser des employés appartenant aux deux groupes linguistiques. Cependant, la question fut réexaminée et le ministère décida de n'exiger que la connaissance du français.

Le ministère a informé le Commissaire qu'il avait estimé nécessaire de respecter pas l'égalité de statut des deux langues officielles. Le Québec et seulement une connaissance de l'anglais ailleurs au Canada du Québec, la connaissance du français et de l'anglais est essentielle ». Direction de la qualité de l'eau : « Pour les postes du Centre, de l'Ouest et du Pacifique, la connaissance de l'anglais est essentielle. Pour ceux du Québec, la connaissance du français et de l'anglais est essentielle ». Un francophone prétend que le fait de réclamer le bilinguisme au Québec et seulement une connaissance de l'anglais ailleurs au Canada ne respecte pas l'égalité de statut des deux langues officielles.

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• Sous le titre « Conditions de candidature », on pouvait lire ce qui suit sur un avis de concours pour des postes relevant de la Direction de la qualité de l'eau : « Pour les postes du Centre, de l'Ouest et du Pacifique, la connaissance de l'anglais est essentielle. Pour ceux du Québec, la connaissance du français et de l'anglais est essentielle ». Un francophone prétend que le fait de réclamer le bilinguisme au Québec et seulement une connaissance de l'anglais ailleurs au Canada ne respecte pas l'égalité de statut des deux langues officielles.

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• Un francophone attire l'attention du Commissaire sur un avis de concours n'exigeant que la connaissance de l'anglais pour le poste de chef de l'Information au Service canadien des forêts à Ottawa.

Suite à l'intervention du Commissaire, le ministère a reconnu que la nature du poste exigeait le bilinguisme. Pour des raisons administratives non reliées aux exigences linguistiques, le ministère a décidé de ne pas combler le poste.

Le ministère s'est engagé à prendre les mesures nécessaires pour mettre en vigueur cette recommandation, compte tenu de sa situation actuelle et des besoins des autres régions.

Le Commissaire a invité le ministère à tenir compte de cette recommandation pour tout concours visant à recruter du personnel aux deux bureaux susmentionnés jusqu'à ce qu'ils possèdent les effectifs bilingues requis.

naissance de l'anglais seulement. Il ajoute que ce Service n'a aucune

capacité bilingue dans la région de Moncton.

Le ministère a reconnu que le Service de l'environnement atmosphérique ne possédait pas de capacité bilingue dans la région atlantique, bien qu'un modeste programme de formation linguistique venait d'y être mis sur pied. De l'avis du ministère, il fallait tout d'abord accroître la capacité bilingue dans la région du Québec, puis organiser des cours de français à l'intention des météorologues et techniciens en météorologie, et enfin constituer une capacité bilingue dans les bureaux météorologiques desservant les districts bilingues du Canada. Le bureau de Moncton, qui entrait dans cette catégorie, avait une priorité absolue dans ce domaine et un programme de cours de langue intensifs y était déjà organisé. Le Service de l'environnement atmosphérique au bureau météorologique de Moncton espérait que son personnel serait à 100 p. 100 bilingue d'ici à 1975.

Le ministère a cependant souligné que ces programmes existaient un grand nombre de personnes bilingues pour l'ensemble de ce Service et qu'ils attendaient trop des moyens dont on disposait présentement pour former et recruter des spécialistes compétents; en effet, ceux-ci s'occuperaient de toutes les provinces atlantiques, ce qui, pour des régions comme Moncton, les obligerait à maîtriser le français. Le ministère a déclaré au Commissaire qu'il s'efforcerait de ne recruter que des employés connaissant bien le français ou s'étant engagés à l'apprendre. Trois postes requérant des qualifications scientifiques identiques ou comparables étaient alors à pourvoir au bureau régional de Québec. Le Service de l'environnement envoyait également des météorologues à l'université du Québec pour aider à mettre sur pied les premiers cours universitaires de météorologie en français. Ces cours devaient débuter en janvier 1973. Compte tenu de ces projets, le Service de l'environnement atmosphérique n'avait pas jugé utile, à l'époque, de donner aux détenteurs de ces postes scientifiques de la région atlantique la présence dans son programme de bilinguisme. L'un des titulaires devait commencer à suivre un cours de langue en 1973-1974.

Le Commissaire a admis que le bureau régional atlantique et sa filiale, le Bureau météorologique de Moncton, devraient avoir une capacité bilingue en raison des régions qu'ils desservaient. Mais selon lui, dans ce cas comme dans bien d'autres, il ne suffisait pas pour posséder une capacité bilingue d'organiser des cours de français, il fallait également recruter du personnel bilingue ou muter dans ces régions des employés bilingues. Le Commissaire a donc recommandé que ces bureaux soient dotés dès que possible d'effectifs bilingues suffisants, grâce aux trois moyens déjà mentionnés, afin que le public puisse y être servi en tout temps dans les deux langues officielles.

• Le plaignant reproche au ministère de n'exiger des candidats aux deux postes d'agent technique offerts par le bureau régional atlantique du Service de l'environnement atmosphérique à Moncton, qu'une con-

Une copie de la réponse du ministère a été envoyée au plaignant. qui ont exprimé le désir de devenir bilingues ». sont ouverts aux candidats bilingues ainsi qu'aux candidats unilingues ment selon laquelle « les concours donnant accès aux postes bilingues En outre, le ministère acceptait de suivre la politique du gouverne- rique à Moncton par le bureau du Commissaire lui-même. une étude spéciale menée sur le Service de l'environnement atmosphé- avait un besoin urgent de techniciens bilingues, comme en témoignait Celui-ci a répondu que le bureau météorologique de Moncton au ministère ce qu'il en pensait.

langues officielles. Toutefois, le Commissaire a demandé officiellement que cet avis de concours n'allait pas à l'encontre de la Loi sur les ministère de l'Environnement, le Commissaire a informé le 1973) au Conseil du trésor et au ministère concerné, en l'occurrence le Comme la désignation de postes bilingues incombaît (en janvier annihiler les chances des candidats unilingues anglais. Il prétend que cette exigence n'a pas de raison d'être et qu'elle exige des candidats qu'ils connaissent aussi bien le français que *Moncton Times* et demandant des techniciens stagiaires en météorologie • Un fonctionnaire se plaint qu'un avis de concours paru dans le

*Dossiers nos 1487, 1559, 1659, 1689—Concours*

le faire. leur ouvrir une carrière utile et enrichissante devraient être à même de employés désirant suivre des cours de langue seconde susceptibles de de français. Le Commissaire a tenu à redire qu'il croyait que tous les seillé de réitérer à son chef de personnel son désir de suivre des cours prendre aucune démarche officielle à son sujet. Il lui a néanmoins con- rence, le Commissaire a répondu au plaignant qu'il ne pouvait entre- sa décision touchant les cours de langue seconde à donner en l'occu- l'attention du sous-ministre et de demander au ministère de reconsidérer conséquence, bien qu'il envisageât de porter officiellement ce cas à postuler un poste bilingue ne constituaient une violation de la loi. En trouvait le plaignant de suivre des cours de français ni son inhabilité à saire a été obligé de reconnaître que ni l'impossibilité dans laquelle se Après avoir soigneusement étudié le cas du plaignant, le Commis- résulterait d'une telle désignation. Commission de la fonction publique et du ministère concerné et qu'il n'interviendrait qu'en cas où une plainte recevable en vertu de la loi



8) Cette recommandation a été mise en vigueur. Toutefois, les négociations se poursuivent avec l'université du Québec à Montréal afin d'établir un cours au niveau de la maîtrise.

*Dossiers nos 434, 857—Cours de langue*

• Un fonctionnaire anglophone prétend qu'au bureau météorologique de Moncton, les agents qui diffusent les bulletins devront pouvoir s'exprimer dans les deux langues officielles d'ici à 1975, mais qu'aucun cours de langue n'a jusqu'à présent été prévu à leur intention. Il s'agit également qu'il soit demandé à ces agents d'être tous bilingues sans exception, alors que les objectifs fixés par le Conseil du trésor précisent que 15 p. 100 des membres du personnel technique de la fonction publique devront être bilingues en 1975.

Le Commissaire n'avait pas encore reçu du ministère la réponse à sa demande d'enquête lorsqu'à l'occasion d'une visite dans les provinces maritimes, il rencontra le plaignant et l'informa de sa démarche, à savoir que les employés du bureau météorologique de Moncton soient inscrits en priorité à des cours de langue seconde. Il lui précisa également que la capacité bilingue totale exigée par le ministère n'enfreignait nullement la Loi sur les langues officielles.

Peu de temps après, le Commissaire a appris du ministère que le chef du bureau météorologique de Moncton ainsi que tous les techniciens travaillant sous ses ordres avaient commencé à suivre des cours de français, cinq d'entre eux suivaient les cours offerts par la Commission de la fonction publique, soit à l'université de Moncton, soit à Halifax, tandis qu'un autre était inscrit au cours Berlitz de 45 semaines également dispensé à Moncton.

Le Commissaire a communiqué au plaignant la réponse du ministère.

• Un employé du ministère au Nouveau-Brunswick demande au Commissaire quels sont les cours de langue prévus à l'intention des employés ne possédant pas le niveau linguistique requis pour les postes désignés bilingues.

Le Commissaire, après avoir obtenu une opinion légale sur la question de savoir si la Loi sur les langues officielles donnait aux employés de la fonction publique le droit de recevoir une formation linguistique, a informé son correspondant que la loi n'exigeait de façon explicite d'aucun ministère ou institution du gouvernement qu'il dispensât des cours de langue seconde à ses employés; il en déduisait que la formation linguistique ne constituait pas un droit de la loi. Le Commissaire en a conclu que la désignation des postes bilingues au sein du gouvernement fédéral était (en mars 1972) du ressort de la

- Centre météorologique canadien, au moins un bilinguisme passif afin de s'assurer que chaque employé puisse s'exprimer verbalement ou par écrit dans la langue officielle de son choix;
- 7) que le Service poursuive ses efforts afin de donner des cours de formation en météorologie à son personnel technique et professionnel aussi bien en français qu'en anglais;
- 8) que le Service poursuive le travail remarquable qu'il a entrepris en collaboration avec l'université du Québec à Montréal afin que soit offert un cours complet de météorologie en français à tous les échelons universitaires.
- Au mois d'octobre 1973, le ministère a fait parvenir au Commissaire le rapport suivant sur la mise en œuvre de ses recommandations :
- 1) Il a publié en juin 1973 un document intitulé « La politique du bilinguisme au ministère ». Des copies de ce document ont été distribuées à tous les employés du ministère. Dans ce document, on mentionne entre autres que les employés doivent pouvoir, en règle générale, travailler dans la langue officielle de leur choix.
- 2) Le Bureau météorologique de Montréal deviendra une unité de langue française au mois de décembre 1973.
- 3) Le ministère a indiqué que plusieurs formulaires et manuels utilisés par les employés dans l'exécution de leurs fonctions avaient déjà été traduits. Il a précisé que sa nouvelle politique linguistique traitait de cette question et que dorénavant tous les nouveaux formulaires, manuels, directives etc., paraîtront dans les deux langues officielles.
- 4) Il a établi à Montréal un bureau du personnel et les services au personnel sont maintenant disponibles dans les deux langues officielles.
- 5) Le Centre météorologique canadien peut avoir recours au Service de traduction établi dans la région de Montréal.
- 6) La sixième recommandation a été mise en œuvre. Les postes bilingues dans la région de Montréal ont été identifiés. Tous les postes de surveillance au Centre météorologique canadien sont des postes bilingues. Le ministère prendra les mesures nécessaires pour qu'on puisse satisfaire aux exigences linguistiques de ces postes le plus tôt possible.
- 7) Un cours de base en météorologie a été donné en français aux techniciens en météorologie. De plus, un cours intensif pour les météorologues professionnels a été dispensé à l'université du Québec à Montréal. Ces cours ont été repris depuis.

Afin de remédier à la pénurie de manuels techniques en français les employés du Service pourraient eux-mêmes élaborer un projet sur les méthodes à suivre pour la préparation des bulletins météorologiques au Canada français.

Quant aux cours de formation en français, le ministère a déclaré que le Service de l'environnement atmosphérique devait donner en français, à compter de janvier 1973, le cours élémentaire de météorologie à l'École des services de l'Air à Ottawa tandis que l'École de formation aérologique de Toronto devait offrir un cours en français avant le mois d'avril 1973.

D'autre part, le Service de l'environnement atmosphérique a entamé des pourparlers avec l'université du Québec à Montréal afin que celle-ci donne, à compter de septembre 1973, un cours en français de perfectionnement en météorologie. Le cours lui-même serait calqué sur le cours théorique anglais donné par le Service de l'environnement atmosphérique. L'université étudierait aussi la possibilité d'offrir des cours intensifs de météorologie en français pendant six mois, à partir de janvier 1973.

Après avoir réexaminé toute la question, le Commissaire a recommandé, en plus des mesures que le ministère avait déjà prises, ce qui suit :

1) que le Service de l'environnement atmosphérique émette des directives indiquant à tous ses employés travaillant dans la province de Québec qu'ils peuvent travailler dans la langue officielle de leur choix;

2) que le Service poursuive ses efforts afin de transformer aussitôt que possible le Bureau météorologique de Montréal en une unité de langue française;

3) que tous les documents « d'usage général », c'est-à-dire les avis, directives, rapports, manuels, etc. que les employés utilisent dans l'exécution de leurs fonctions soient disponibles dans les deux langues officielles, afin que les employés puissent travailler plus facilement dans la langue officielle de leur choix;

4) que tous les services offerts au personnel soient fournis dans la langue officielle de l'employé ou dans les deux langues;

5) que le Service de traduction qui a été créé spécialement à l'intention du Bureau météorologique de Montréal, il y a quelques mois, puisse être utilisé aussi par le Centre météorologique canadien et par les autres bureaux du Service de l'environnement atmosphérique à Montréal;

6) que le Service étudie la possibilité d'exiger, pour la plupart des postes de surveillance dans la région de Montréal et particulièrement au



En ce qui concerne le Centre météorologique canadien, le ministre a informé le Commissaire que le Service de l'environnement atmosphérique était en train de définir une politique linguistique pour le Centre. En principe, celui-ci serait bilingue et chaque employé aurait le droit de travailler dans la langue officielle de son choix. Certains services de l'administration centrale du Service de l'environnement atmosphérique intensifiaient leurs efforts afin de pouvoir donner des directives d'ordre administratif et technique dans les deux langues officielles.

Le 15 novembre 1972, un service permanent de traduction au sein même de ce bureau.

En outre, le Secrétariat d'Etat devait créer, avant le 15 novembre 1972, un service permanent de traduction au sein même de ce bureau.

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Dans son deuxième rapport annuel (pages 222 et 223), le Commissaire a publié les premières explications du ministre au sujet de ces plaintes. Au cours de rencontres entre des représentants du ministère, du bureau du Commissaire et des employés francophones du Service concerné, le ministre a indiqué les mesures qu'il avait déjà prises ou qu'il entendait prendre afin de régler l'ensemble de ces problèmes.

L'institution a tout d'abord précisé que les météorologues du Bureau météorologique de Montréal pouvaient travailler dans la langue officielle de leur choix depuis le mois de juin 1972. De plus, il avait été décidé que ce bureau deviendrait à plus ou moins brève échéance une unité de langue française. En outre, le Secrétariat d'Etat devait créer, avant le 15 novembre 1972, un service permanent de traduction au sein même de ce bureau.

Dossiers nos 147, 580, 831—Langue de travail

# 1. Problèmes internes

## PLAINTES

Bureau du district de Moncton d'ici le 31 octobre 1972 des lettres types dont le texte soit acceptable;

(9) que le ministre, en ne mettant pas en jeu la sécurité d'emploi et l'avancement dans leurs carrières des employés déjà en poste, prenne d'ici le 31 mars 1973 les dispositions qui s'imposent pour assurer, dans la mesure requise, des services dans les deux langues officielles dans le comté d'Albert.

au moment voulu. Toute l'information générale provenait du Service spécialisé d'Ottawa; enfin, les communiqués destinés à la presse locale étaient, eux, rédigés et diffusés simultanément dans les deux langues officielles.

Une pratique fort louable du bureau de Moncton consistait à communiquer aux organes d'information des deux groupes linguistiques les renseignements utiles aux pêcheurs de la région. Bien que ce service ait pour règle de toujours répondre dans la langue du correspondant au court-rier qui lui est adressé, le groupe a découvert, en procédant à un sondage des lettres types en français, qu'elles péchaient souvent par la grammaire et le style. En tout état de cause, ce bureau possédait un effectif bilingue considérable: sept de ses dix employés permanents, 17 des 21 saisonniers et les six agents occasionnels parlaient les deux langues et, à une exception près, leur affectation permettait d'offrir des services bilingues dans toute la région.

Ce bureau a donc consenti de gros efforts et fait preuve d'une extrême bonne volonté dans l'application des principes de la Loi sur les langues officielles. Les quelques faiblesses constatées font l'objet des neuf recommandations suivantes :

(1) que le ministère entreprenne l'inventaire de toutes les plaques d'identification ou de tous les écriteaux du Bureau du district de Moncton et de ses bureaux auxiliaires afin que tous ces plaques d'identification ou écriteaux soient bilingues d'ici le 31 décembre 1972;

(2) que les insignes sur les casquettes et sur les uniformes que le ministère fournit à ses agents soient tous bilingues d'ici le 31 mars 1973;

(3) que dorénavant l'identification du ministère au téléphone au Bureau du district de Moncton et à ses bureaux auxiliaires se fasse dans les deux langues officielles du Canada;

(4) que désormais toute personne qui remplit les fonctions de réceptionniste-téléphoniste au Bureau du district de Moncton et qui serait incapable de parler la langue de l'appelant francophone, puisse, en tout temps, au moins informer l'appelant dans la langue de ce dernier, que son appel sera passé à un autre employé capable d'assurer le service dans la langue appropriée; (5) que le ministère prenne d'ici le 31 mars 1973 les mesures qu'il jugera à propos pour assurer qu'il y ait en tout temps des services téléphoniques bilingues à son Bureau du district de Moncton;

(6) que toutes les formules à l'intention du public susceptibles d'être utilisées par le Bureau du district de Moncton et de ses bureaux auxiliaires soient entièrement bilingues d'ici le 31 mars 1973;

(7) que tout tampon servant à apposer un timbre sur un document susceptible d'être vu par le public soit bilingue d'ici le 31 décembre 1972;

(8) que le ministère fasse l'inventaire de toutes les lettres types utilisées par le Bureau du district de Moncton pour répondre à sa correspondance, réviser la qualité linguistique du texte de ces lettres et mette à la disposition du

première communication avec le client. Les publications du ministère n'existaient pas toutes dans les deux langues, quoique les plus demandées le fussent. Seuls 80 p. 100 des 286 formulaires à l'usage ou à l'intention du public étaient bilingues, et ceux imprimés en versions séparées n'étaient pas toujours disponibles.

et dans un secteur du comté de Northumberland.

En matière de signalisation, le groupe d'étude a constaté que la décision, annoncée par le ministère en mai 1970, de rendre bilingues tous les panneaux, inscriptions, plaques, etc. . . n'avait pas été complètement appliquée. Si tous les panneaux (d'après l'échantillon fourni) étaient bel et bien bilingues, les inscriptions, plaques et insignes d'unité-forme continuaient de n'exister qu'en anglais. Le groupe d'étude a par ailleurs remarqué qu'aucun inventaire de ces articles n'avait été dressé. Les renseignements sur le service figuraient bien dans les deux langues dans les annuaires téléphoniques voulus, mais le bureau n'avait pas pour règle de se présenter en français et en anglais, pas plus qu'il n'offrait un service de réception bilingue à l'endroit où s'établissait la première communication avec le client.

Cette étude avait pour but d'évaluer l'étendue et la qualité des services bilingues fournis par le Service des pêches au public avec lequel il est fréquemment et diversement en rapport. L'enquête portait essentiellement sur le bureau de district de Monton, mais également sur ses annexes dans les comtés de Westmorland, Kent et Albert, et dans un secteur du comté de Northumberland.

ÉTUDE SPÉCIALE — SERVICE DES PÊCHES, MONCTON

les modifier afin de satisfaire aux exigences de la loi.

Le Commissaire a lieu de croire que la nouvelle politique de bil-  
guisme du ministère, si elle est appliquée avec discernement, permettra  
à cette institution non seulement de faire face aux situations particu-  
lières qu'il porte à son attention mais de se conformer aux exigences  
générales de la loi.

Enfin, quatre plaintes avaient trait aux exigences linguistiques dans des avis de concours. Dans un cas, il n'y avait pas contravention à la loi. Dans un autre, le Commissaire a dû faire des recommandations dont le ministère a tenu compte. Dans les deux autres cas, le ministère a reconnu que les exigences linguistiques n'étaient pas appropriées et a accepté de les modifier afin de satisfaire aux exigences de la loi.

dations. Au mois d'octobre dernier, le ministère a informé le Commissaire que les huit recommandations avaient été mises en œuvre. Il y a lieu de féliciter le ministère du travail accompli dans ces domaines. Vouloir, après tout, c'est peut-être pouvoir. Comme on le sait, plusieurs institutions fédérales abordent avec réticence la question de la langue de travail, et les solutions concrètes dans ce domaine sont habituellement rarissimes. Enfin, quatre plaintes avaient trait aux exigences linguistiques dans



seconde, et à un recrutement de nature à mieux utiliser le potentiel francophone.

Quant aux sept recommandations relatives au personnel bilingue, à son recrutement, à sa formation et à son déploiement afin de pouvoir assurer un service au public dans la langue officielle de ce dernier, le ministre a informé le Commissaire qu'elles étaient en voie d'être appliquées. Dix recommandations ont été suivies partiellement, ou le seront, bien que des échéances n'aient pas été respectées. Le Commissaire avait recommandé, dans les bureaux météorologiques principaux et dans les endroits où il y a une minorité officielle importante, de diffuser les bulletins météorologiques dans les deux langues. Le ministre a accepté en principe ces recommandations. Toutefois, étant donné le manque d'effectifs bilingues, il n'était pas en mesure de s'y conformer dans l'Ouest du pays, c'est-à-dire à l'Ouest de Thunder Bay. Il s'est engagé toutefois à le faire au plus tard le 31 décembre 1975. En attendant, le Commissaire espère que les francophones de la région non-desservie ne verront pas leurs pique-niques d'être dérangés par d'inattendues chutes de neige. Enfin, la recommandation ayant trait au journal interne du service, le *Zephyr*, n'a pas été appliquée. Le bureau demandait qu'il soit publié entièrement dans les deux langues officielles. L'examen d'un certain nombre d'exemplaires a révélé le nombre restreint d'articles traduits ou rédigés en français.

Sur les 22 plaintes réglées entre le 1<sup>er</sup> avril 1970 et le 1<sup>er</sup> avril 1973, 17 étaient fondées. La plupart d'entre elles portaient sur la langue de service (absence de services en français — livres, circulaires, brochures, questionnaires, estampilles, etc. en anglais seulement). Dans tous les cas ayant trait à la langue de service, le ministre s'est efforcé, à la suite de l'intervention du Commissaire, de corriger la situation dans le plus bref délai. En ce qui concerne la traduction en français de certains volumes, notamment dans le cas interminable des *Native Trees of Canada*, les délais ont été assez longs... en raison, affirme-t-on parfois un peu trop allégrement, du caractère technique de ces ouvrages. Le ministre a récemment révisé sa politique concernant la traduction et la publication des documents qu'il met à la disposition du public. La nouvelle politique de bilinguisme du ministre prévoit, entre autres choses, que les publications émanant du ministre à l'intention du public doivent, en règle générale, être rédigées et publiées à la même date dans les deux langues officielles.

Trois plaintes avaient pour objet la langue de travail et les cours de formation en langue française au Service de l'environnement atmosphérique à Montréal. Quoique les autorités du ministre aient été bien disposées envers leurs employés francophones à Montréal, il a fallu les sensibiliser dans une certaine mesure à ces problèmes. À la fin de l'instruction de ces trois plaintes, le Commissaire a fait huit recommandations.

*tratives invoquées par le ministère. Cependant, elles doivent être sur-  
montées si l'organisme veut assurer ses services en conformité avec la  
loi dans la région de Moncton.*

L'étude concernant le bureau de district de Moncton, réalisée durant l'été de 1972, touchait d'une part le bilinguisme visuel (2 recommandations) et d'autre part les services offerts au public (7 recommandations). Le ministère a indiqué en octobre dernier qu'une des recommandations concernant le visuel avait été appliquée, avec un certain retard toutefois. Le Commissaire demandait au ministère de rendre bilingues, pour le 31 décembre 1972, les plaques d'identité du bureau en question. L'autre recommandation visant le visuel exigeait que le ministère rende bilingues les insignes sur les casquettes et les uniformes. Le ministère n'a pas encore appliqué cette recommandation. Il attendrait des directives gouvernementales à cet égard — détail pour-  
tant à peine révolutionnaire.

Trois recommandations relatives aux formules, aux tampons et à la correspondance ont été mises en œuvre. Les trois recommandations concernant le bilinguisme au téléphone n'étaient pas encore appliquées au mois d'octobre. L'absence d'un personnel bilingue sur place en permanence dans ce bureau rendait impossible, aux dires du ministère, la mise en application de ces recommandations. Compte tenu des possibilités de solutions offertes par la nouvelle politique du Conseil du trésor visant les postes bilingues, il n'est pas évident que le ministère ait examiné tous les moyens de s'assurer que les communications téléphoniques soient possibles dans les deux langues. En attendant, le ministère reste en flagrant délit à l'égard de la loi dans cette question plutôt élémentaire.

L'application de la recommandation exigeant la prestation de services bilingues dans le comté d'Albert au Nouveau-Brunswick est en suspens. Le ministère soutient qu'il y a très peu de francophones dans ce comté et que, de toute façon, ces services seront centralisés à Moncton à brève échéance. Le Commissaire espère que « brève échéance » n'est pas synonyme de calendes grecques.

L'autre étude du bureau du Commissaire, qui avait pour but d'évaluer les efforts déployés par le bureau central de la Direction du Service de l'environnement atmosphérique pour se conformer à la loi, a été terminée en mars 1972. Le Commissaire y formulait 45 recommandations ayant pour objet : la signalisation, les relations publiques, les prévisions météorologiques, la traduction, le personnel, les cours de langues et de formation, le recrutement et la création d'unités de langue française.

Le ministère a indiqué qu'il avait appliqué les recommandations relatives à la signalisation, aux imprimés, aux relations publiques, à la traduction, aux cours de formation, au maintien de l'acquis de la langue

officielles. D'autre part, le ministère avait donné ordre de faire préparer un bulletin de commande bilingue.

#### Dossier n° 1664—Tampons

Un francophone signale que le ministère se sert de tampons unilingues à la Photothèque nationale de l'air à Ottawa.

Le ministère a fait remplacer les tampons en cause (Parcel Post et NAPL Reproduction Centre) par des tampons bilingues.

#### ENVIRONNEMENT — « Le désert vivant »

#### APPRÉCIATION

Vu que 89,9 p. 100 des employés du ministère de l'Environnement étaient en mai 1973 des anglophones unilingues, le Commissaire estime que le rendement de cette institution au regard des plaintes et des deux études spéciales qu'il a effectuées au cours de l'année financière 1971-1972 a été assez bon. Toutefois, le Commissaire est bien conscient qu'il reste beaucoup à faire dans le domaine du bilinguisme dans l'ensemble du ministère. Il espère que la nouvelle politique de bilinguisme du ministère émise par le sous-ministre au mois de juin 1973 à l'intention de tous les employés entraînera de nouvelles réformes.

La plupart des plaintes ont été réglées par le ministère à la satisfaction du Commissaire sans que celui-ci ait été obligé de faire des recommandations précises. Dans les quelques cas où il y a eu des recommandations, le ministère a pris les mesures qui s'imposaient dans les circonstances afin d'y donner suite.

Les informations fournies par le ministère dans un rapport, en date d'octobre 1973, ont permis au Commissaire de prendre connaissance des nombreuses réalisations du ministère dans la mise en œuvre de 45 recommandations formulées à la suite de l'étude spéciale portant sur le Service de l'environnement atmosphérique. Le ministère a généralement procédé avec célérité dans la recherche de correctifs aux lacunes mentionnées dans le rapport du Commissaire, bien que d'autres efforts doivent encore être déployés pour donner suite aux recommandations encore inappliquées ou appliquées seulement de façon partielle.

Toutefois, en ce qui a trait à l'étude spéciale relative au bureau de district de Moncton, les efforts du ministère pour appliquer les recommandations ont été plutôt timorés. Les renseignements obtenus ont révélé que quatre des neuf recommandations étaient appliquées en octobre dernier. Des améliorations ont été apportées, mais elles se limitaient aux aspects visuels. Le Commissaire comprend les difficultés administratives



## PLAINTES

*Dossier n° 1167—Tampons*

Un francophone de Montréal reçoit du ministère une enveloppe sur laquelle l'adresse EARTH PHYSICS BRANCH est libellée en anglais seulement.

La Direction de la physique du globe a pris les mesures nécessaires pour remplacer par des tampons bilingues ceux qui avaient fait l'objet de la plainte. Le ministère s'est assuré par la même occasion qu'aucune autre direction n'utilisait des tampons unilingues.

*Dossier n° 1557—Note de service*

Un fonctionnaire du ministère se plaint d'avoir reçu une note de service en anglais seulement relative au congé de Noël.

Le ministère a précisé qu'il s'agissait là d'une note de service adressée à titre de renseignement au sous-ministre adjoint principal, aux sous-ministres adjoints, aux directeurs de service et aux chefs de division et qu'elle n'était pas destinée à être distribuée comme telle aux employés. Le ministère a regretté qu'on ne l'ait pas accompagnée d'une version française.

A la suite de l'intervention du Commissaire, le ministère a demandé au chef de service qui avait distribué cette note de service unilingue de prendre les dispositions appropriées afin d'éviter la répétition d'incidents de ce genre.

*Dossier n° 1577—Bulletin de commande*

Le plaignant fait grief au ministère d'émettre en anglais seulement un bulletin de commande de publications touchant l'aéronautique.

Le ministère a répondu que la préparation et la révision des publications énumérées dans le bulletin de commande relevaient du ministère des Transports mais que la distribution était la responsabilité du Bureau des Cartes du Canada. Or celui-ci avait entrepris une révision de ses méthodes de distribution afin de se conformer à la Loi sur les langues

du bilinguisme institutionnel en ce qui concerne les services au public, il souligne que la réalisation du même objectif en ce qui concerne les services au personnel, la surveillance et l'évaluation sera le fruit d'un travail de longue haleine tant du point de vue du recrutement que de celui de l'enseignement des langues. Le bureau du Commissaire entend, bien sûr, suivre de près l'évolution de ces programmes.

Le ministère a d'autre part informé le Commissaire, à la demande de ce dernier, des mesures prises afin d'assurer la mise en application des principes énoncés dans la loi et élaborés dans la Circulaire 1971-21 du Conseil du trésor. Le ministère dispose déjà d'un certain nombre de mécanismes destinés à faciliter la réalisation de ses programmes de bilinguisme et de biculturalisme : groupe de travail pour l'identification des postes bilingues, comité pour la traduction des manuels, unités de langue française, moniteurs de français, centre d'information sur le bilinguisme, séjour d'une année à Québec à l'intention des cadres moyens, projet spécial d'emploi d'été pour les étudiants. Si d'une part le ministère affirme pouvoir, à l'heure actuelle, satisfaire aux exigences

deux langues officielles. service suffisamment d'emploies bilingues pour servir le public dans les Québec et Division des levés et de la cartographie à Ottawa) ont à leur enseignements de la part du public (Division des relations publiques à saire, les divisions qui sont chargées de répondre aux demandes de Selon les renseignements que le ministère a transmis au Commissaire, les renseignements que le ministère a transmis au Commissaire, même en période de crise énergétique.

*se conformer à la loi et qu'il pouvait compter sur des ressources suffisantes, malgré ses rapports restreints avec la population, des mécanismes pour tion. Le ministère a informé le Commissaire qu'il avait mis en marche, et, en règle générale, le Commissaire a été satisfait de cette collaboration, mesures destinées à corriger les situations soulevées par les plaignants infractions à la loi. Le ministère a réagi de façon positive en prenant les En trois ans, le Commissaire a instruit sept plaintes révélant des*

## APPRÉCIATION

ÉNERGIE, MINES ET RESSOURCES — « La ruée vers l'or »

seulement. L'enveloppe, d'un format différent de celui dont s'était plaint le correspondant, portait l'adresse de retour uniquement en anglais. Le Commissaire a donc recommandé à la société de faire l'inventaire de sa papeterie, y compris celui des enveloppes, pour bien s'assurer qu'elle se conformait à la Loi sur les langues officielles. L'Énergie atomique du Canada, limitée, a donc fait parvenir au Commissaire une enveloppe corrigée, comme il l'avait demandé, et elle l'a informé que l'enveloppe portant l'adresse de retour dans une seule langue ne serait plus désormais utilisée. La société a informé le Commissaire que l'inventaire des enveloppes et autre papeterie était en cours. Elle avait un certain stock de papeterie à en-tête bilingue, mais elle hésitait à passer de nouvelles commandes tant que n'aurait pas été tranchée la question de savoir si elle adoptera ou non le programme de diffusion du symbole fédéral.

A la suite de cette plainte, le directeur général des élections a décidé de fournir aux présidents d'élection des circonscriptions bilingues des tampons identifiant leur circonscription dans les deux langues officielles.

## ÉNERGIE ATOMIQUE DU CANADA, LIMITEE

### PLAINTES

*Dossier n° 1323—Terrain de stationnement et véhicules*

Une association culturelle francophone rapporte au Commissaire que deux panneaux unilingues anglais se trouvent sur les terrains de stationnement de la société à South March dans la banlieue d'Ottawa et que l'une de ses camionnettes n'aurait porté qu'une inscription anglaise. L'inspection a révélé qu'un des panneaux avait été érigé à la demande d'un entrepreneur et qu'il devait disparaître à la fin des travaux. L'autre panneau a été remplacé par un panneau bilingue.

La société a informé le Commissaire qu'elle avait pour politique d'apposer sur ses camionnettes une inscription française d'un côté et anglaise de l'autre. La camionnette en question avait été abîmée par suite d'un accident. Par mesure d'économie, cette camionnette avait été remise temporairement en service sans l'inscription française. Comme la société s'en servait à des fins internes, elle a indiqué qu'elle n'avait pas l'intention de la remettre en état.

Le Commissaire s'est rallié à cette décision, mais il a recommandé à la société de s'assurer qu'à l'avenir les panneaux et autres inscriptions soient toujours présentés dans les deux langues officielles.

*Dossier n° 1587—Papeterie*

Un francophone fait savoir qu'une enveloppe contenant des imprimés en provenance de l'Énergie atomique du Canada, Limitée, porte en anglais seulement l'adresse de retour de la société. Il s'étonne de cette anomalie puisque les autres indications sur l'enveloppe sont dans les deux langues.

La société a admis son erreur, qu'elle attribuait à une inadvertance au moment de l'impression. Elle se proposait d'apposer sans délai en surimpression la version française aux enveloppes en stock de manière à ce que l'adresse de retour y figure dans les deux langues.

Bien aise d'apprendre cette décision, le Commissaire a demandé à la société de lui envoyer une enveloppe corrigée. Il a constaté que pour lui écrire la société s'était servie d'un papier à en-tête anglais



Un francophone a reçu une enveloppe (formule 140) adressée en anglais et portant le timbre unilingue anglais de la circonscription.

c) *Dossier n° 1533—Ottawa-Est*

Un électeur se présente le 30 octobre au bureau de scrutin 281. Personne dans ce bureau n'a pu lui répondre en français et il a dû, selon ses propres paroles, « articuler comme un comédien » afin de se faire comprendre. Le scrutateur s'efforçait de traduire ses paroles en souriant. Et, pour que l'outrage soit consommé, cette personne lui aurait dit tout d'abord « Thank you » pour ensuite se reprendre et dire « merci » en ajoutant « You see, I am bilingual ». Il s'agit là d'une forme d'humour que le plaignant a fort peu appréciée. Dans ce cas, ni la Loi sur les langues officielles ni les directives du directeur général des élections n'avaient été respectées. Le directeur général des élections a rappelé à l'ordre les personnes responsables de cet incident.

b) *Dossier n° 1503—Grenville-Carleton*

Le plaignant fait remarquer au Commissaire que le bureau du président d'élection à Sudbury n'emploie qu'une seule personne bilingue. Ce dernier a expliqué qu'il avait pensé, en toute honnêteté, que la présence d'une seule personne parlant le français serait suffisante pour répondre aux demandes de renseignements du public francophone. En effet, cette personne répondait généralement au téléphone et elle le faisait en français lorsque cela était nécessaire. Pour ce qui est de la traduction de certains documents électoraux, le président d'élection aurait retenu les services d'une autre personne connaissant le français.

a) *Dossier n° 1354—Sudbury*

3. *Service au public*

Dans Dollard, le président d'élection a pris les précautions nécessaires afin d'offrir des services bilingues puisqu'il a demandé aux partis politiques de désigner des énumérateurs bilingues. Malgré cela, il a lui-même pu constater l'existence, dans une subdivision où il y avait un énumérateur francophone et un anglophone, d'une liste dactylographiée entièrement en anglais.

Dans South Western Nova, le président d'élection aurait cru, à tort, que les électeurs de cette région étaient plus familiers avec la langue de Shakespeare qu'avec celle de Voltaire.

Une demi-heure plus tard, les mêmes énumérateurs revenaient accompagnés d'une personne bilingue. Celle-ci est retournée au bureau du président d'élection immédiatement après avoir procédé à l'énumération du plaignant, de sorte que les autres francophones de cette rue ont été énumérés en anglais.

2) Un autre francophone de cette ville relève le fait que les énumérateurs qui se sont présentés chez lui étaient unilingues anglais.

D'après le président d'élection de cette circonscription, les partis politiques n'auraient pas présenté suffisamment de personnes parlant le français pour doter chaque équipe d'un énumérateur pouvant s'exprimer dans cette langue.

2. Nom, adresse et qualité d'électeurs francophones inscrits en anglais sur les listes électorales

Circonscription	
Sudbury	1298, 1430, 1354
Ottawa-Carleton	1283
Ottawa-Centre	1317
Westmount	1346
Dollard	1440
Fredericton	1526
South Western Nova	1426

Dossier

Dans ses directives aux présidents d'élection des circonscriptions bilingues, le directeur général des élections avait précisé ce qui suit : « En ce qui a trait aux renseignements concernant les noms, etc., des électeurs, ils seront imprimés de la même manière que ces renseignements auront été donnés aux énumérateurs et comme ceux-ci les auront indiqués sur les listes préparées par eux ».

Une seule de ces plaintes provenait d'une circonscription unilingue, soit Fredericton. Dans les autres cas, les inscriptions sur les listes auraient dû refléter la langue employée par l'électeur au moment de l'énumération.

A Sudbury, le président d'élection a expliqué qu'il avait omis de faire part des directives aux énumérateurs.

Dans Ottawa-Carleton, Ottawa-Centre et Westmount, le manque d'énumérateurs connaissant bien le français expliquait que les renseignements avaient été notés en anglais même dans le cas des électeurs francophones.

## c) Ottawa-Centre

Un francophone a dû communiquer en anglais avec les énumérateurs. Il s'indigne de cet état de choses d'autant plus qu'il réside dans une ville où les bilingues ne manquent pas.

## d) Lapointe

Une élctrice anglophone se plaint que les deux énumérateurs qui se sont présentés chez elle étaient unilingues francophones et qu'elle a dû traduire pour une voisine les renseignements nécessaires à l'inscription de son nom sur les listes électorales.

Le président d'élection a déclaré qu'il croyait avoir pris toutes les précautions nécessaires en nommant comme énumérateur un ex-général d'une entreprise anglophone. Présument que cette personne connaissait l'anglais, il n'avait pas jugé bon de vérifier ses connaissances linguistiques. Il a ajouté cependant que la circonscription de Lapointe, en raison de sa faible minorité d'anglophones, n'était pas considérée comme bilingue.

## e) Westmount

Un journaliste du *Devoir* exprime son mécontentement au sujet de l'unilinguisme des énumérateurs dans cette circonscription.

Selon le président d'élection, il n'y aurait pas eu sur les listes proposées par les partis politiques suffisamment de personnes bilingues ou francophones unilingues pour doter chaque équipe d'au moins un énumérateur pouvant communiquer en français.

## f) Vaudreuil

Un électeur de cette circonscription s'étonne que les deux énumérateurs qui se sont présentés chez lui étaient unilingues anglais.

Le président d'élection a regretté cet incident. Il a ajouté que lors du choix des énumérateurs, ceux-ci se disaient bilingues et c'est donc de bonne foi qu'ils ont été choisis.

## g) Moncton

1) Dans une lettre à *L'Évangéline*, un francophone de Moncton raconte, indigné, que les énumérateurs qui se sont présentés chez lui étaient unilingues anglais. Il a refusé de leur donner les renseignements d'usage.



1) Un électeur francophone se plaint que les deux énumératrices qui se sont présentées chez lui, le 11 octobre, étaient unilingues anglophones et que c'est en anglais qu'elles ont voulu lui poser les questions d'usage. Il leur a fait comprendre qu'il désirait être interrogé en français. Elles ont donc dû repartir sans avoir accompli leur tâche. Mis au courant de cette anomalie, le bureau du directeur général des élections a demandé au président d'élection de cette circonscription de prendre rendez-vous avec le plaignant. Les énumératrices sont alors retournées chez lui accompagnées cette fois d'une personne de langue française qui a servi d'interprète.

Le plaignant s'est dit heureux d'avoir été en mesure de voter mais a exprimé un fort doute quant à la conformité du procédé utilisé avec l'esprit de la Loi sur les langues officielles. Puisque ce sont les partis politiques qui suggèrent les énumérateurs, l'obligation devrait leur être faite de désigner des personnes bilingues dans les circonscriptions sises dans la région de la capitale nationale et les autres circonscriptions où le pourcentage de la minorité de langue officielle le justifie. Il serait logique, selon lui, que le Parlement amende la Loi électorale afin de la rendre conforme à l'esprit et à la lettre de la Loi sur les langues officielles.

2) Des énumérateurs remettent à un électeur francophone un exemplaire de la formule 7 « Avis des énumérateurs à l'électeur » remplie en anglais bien que les renseignements aient été donnés en français. Le directeur général des élections a attribué cette contravention à la Loi sur les langues officielles à une erreur de l'énumérateur qui avait rempli la formule.

## b) Ottawa-Carleton

Un électeur et une électrice signalent au Commissaire que les énumératrices qui se sont présentées chez eux étaient unilingues anglaises. Ils ajoutent que l'une d'elles s'est montrée offusquée lorsque les plaignants ont indiqué qu'ils aimeraient recevoir en français les renseignements requis.

Le président d'élection a répondu que l'unilinguisme des énumératrices pouvait s'expliquer par le fait que la population des quartiers Alta-Vista, Urbandale et Elmvale était en mesure de s'exprimer en anglais. Il va sans dire que cette réponse allait à l'encontre de l'esprit et de la lettre de la Loi sur les langues officielles.

# 1. Énumération

## Circscription

### Dossier

Ottawa-Est	1277, 1511
Ottawa-Carleton	1283
Ottawa-Centre	1317
Lapointe	1289
Westmount	1346
Vaudreuil	1493
Moncton	1279, 1306

Le directeur général des élections avait, le 1<sup>er</sup> mai 1972, émis des directives à l'intention des présidents d'élection dans les circonscriptions bilingues portant sur l'usage des deux langues officielles dans la conduite des élections. Étaient considérées comme bilingues les circonscriptions où la minorité de langue officielle était d'au moins 5 p. 100. Les plaintes ont donc été étudiées en tenant compte à la fois de la Loi sur les langues officielles et de ces directives. L'instruction de ces plaintes a permis de constater les faiblesses du système électoral actuel lorsqu'il s'agit d'assurer aux électeurs des services dans la langue officielle de leur choix. Ces lacunes, de même que certaines imprécisions dans les directives elles-mêmes, ont été signalées au directeur général des élections à la suite d'une étude effectuée par le Service des études spéciales du bureau du Commissaire. C'est pourquoi le Commissaire n'a fait aucune recommandation à la suite de l'instruction de ces plaintes dont voici le détail.

L'instruction de ces plaintes a révélé que l'action des présidents d'élection en vue d'assurer l'énumération dans les deux langues officielles avait souvent été gênée par le fait que les énumérateurs étaient, en vertu de la Loi électorale, suggérés par les partis politiques, ceux-ci n'étant pas soumis aux exigences de la Loi sur les langues officielles. Ce facteur a souvent nui à l'application d'une part, de la Loi sur les langues officielles et d'autre part, des recommandations du directeur général des élections qui invitaient les présidents d'élection à prendre les mesures nécessaires afin que les scrutateurs et, dans les sections urbaines, l'un des deux énumérateurs puissent communiquer avec les électeurs dans les deux langues officielles.

A la suite de multiples plaintes soumises au Commissaire à l'occasion des élections fédérales du 30 octobre 1972, dix-sept ont été instruites.

*Dossiers nos 1277, 1279, 1283, 1289, 1298, 1306, 1317, 1346, 1354, 1426, 1430, 1440, 1493, 1503, 1511, 1526, 1533—Plaintes variées*

## PLAINTES

(16) que le Directeur général des élections propose, dès que possible, à l'Orateur de la Chambre des communes, que la Règle 60 de l'Annexe A à l'article 18 de la Loi électorale du Canada, soit modifiée de façon que les personnes d'expression anglaise ou française qui se présentent devant un réviseur puissent, au besoin, disposer des services d'un interprète.

(15) que le Directeur général des élections propose, dès que possible, à l'Orateur de la Chambre des communes, que la Loi électorale du Canada soit modifiée de façon que l'article 45, paragraphe 19, qui, dans sa version actuelle, pourrait entraîner, pour les électeurs, la perte du droit de vote pour des raisons linguistiques, ne s'applique en aucun cas aux personnes d'expression anglaise ou française;

(14) que le Directeur général des élections propose, dès que possible, à l'Orateur de la Chambre des communes, que la Loi électorale du Canada soit modifiée de façon à permettre au Directeur général des élections de transmettre aux officiers d'élection les instructions qu'il juge nécessaires afin que soient observées les dispositions idoines de la Loi sur les langues officielles;

(13) que le bureau du Directeur général des élections porte immédiatement à la connaissance des présidents d'élection des circonscriptions bilingues que l'exigence d'avoir un énumérateur bilingue dans les sections de vote rurales, au moins un agent réviseur bilingue dans tous les bureaux de scrutin s'applique uniformément à l'ensemble de leur circonscription et non pas seulement « aux régions où il existe un groupe linguistique minoritaire d'une certaine importance faisant usage de l'une quelconque des langues officielles » ;

(12) que le bureau du Directeur général des élections avise immédiatement les présidents d'élection des circonscriptions bilingues que les énumérateurs ruraux doivent, dans toutes les sections de vote situées dans leur circonscription, être en mesure de s'acquitter de leurs fonctions dans les deux langues officielles du Canada;

(11) que le bureau du Directeur général des élections informe les personnes chargées, conformément à l'article 60 des Règles électorales spéciales, de présenter les candidats aux postes de scrutateurs spéciaux, qu'il est nécessaire d'avoir à ces postes des personnes pouvant s'acquitter de leurs fonctions dans les deux langues officielles;

(10) que le bureau du Directeur général des élections informe les personnes eux-mêmes et leur personnel doivent respecter au moment des élections, les obligations de la Loi sur les langues officielles que les présidents d'élec-



tions de la loi. C'est pour prévenir, autant que possible, toute situation litigieuse que le Commissaire a formulé les seize recommandations suivantes :

(1) que le bureau du Directeur général des élections fasse imprimer dans les deux langues officielles du Canada toutes les affiches qui, dans le cadre des élections, sont portées à l'attention de la population;

(2) que le bureau du Directeur général des élections prenne les mesures nécessaires pour que l'*Avis de l'énumération rurale* (formule 22), la *Liste préliminaire géographique urbaine* (formule 8) et la *Liste préliminaire alphabétique urbaine* (formule 161) soient affichés dans les deux langues officielles en respectant l'égalité de statut de l'anglais et du français;

(3) que le bureau du Directeur général des élections fasse dorénavant en sorte que les imprimeurs choisis par les présidents d'élection soient en mesure d'exécuter dans les deux langues officielles du Canada les travaux qui leur sont confiés au moment des élections et cela sans faute d'orthographe ni erreur typographique;

(4) que le bureau du Directeur général des élections, dès les élections de 1972 ou 1973, fasse imprimer dans les deux langues officielles du Canada tous les bulletins de vote;

(5) que le bureau du Directeur général des élections fasse imprimer dans les deux langues officielles du Canada toutes les formules qui sont envoyées aux électeurs ou mises en circulation durant la période d'élections;

(6) que le bureau du Directeur général des élections mette en place, dans les circonscriptions bilingues, des mécanismes propres à assurer dorénavant que les officiers d'élection qui envoient à la population des avis ou des notifications bilingues imprimés recto verso remplissent le côté rédigé dans la langue dans laquelle le destinataire désire recevoir les communications en provenance des institutions fédérales;

(7) que le bureau du Directeur général des élections prenne immédiatement les dispositions nécessaires pour que dans les circonscriptions unilingues les personnes qui aimeraient communiquer, oralement ou par écrit, avec le bureau d'élection dans la langue officielle qui ne correspond pas à celle de la circonscription, puissent, au besoin, être directement servies par le bureau du Directeur général;

(8) que le bureau du Directeur général des élections fasse immédiatement parvenir une directive aux présidents d'élection des circonscriptions bilingues, leur demandant de s'assurer que l'identification et la formule d'accueil soient dans les deux langues officielles du Canada lorsque leur bureau reçoit un appel téléphonique;

(9) que le bureau du Directeur général des élections précise immédiatement aux présidents d'élection des circonscriptions bilingues que leur bureau a l'obligation de répondre aux lettres reçues dans la langue officielle utilisée par les correspondants;

(10) que le bureau du Directeur général des élections fasse immédiatement parvenir, aux présidents d'élection spéciaux, des directives portant sur

de vue de la Loi sur les langues officielles.

En conclusion, l'étude, tout en permettant de constater que le bureau du Directeur général des élections avait pris de nombreuses mesures propres à assurer, dans plusieurs domaines, le respect de la Loi sur les langues officielles, a mis en lumière certains faits ou omissions qui contrevenaient — ou auraient pu contrevenir — à certaines dispositions

Finalement, un examen des préparatifs de la campagne d'information et de publicité en vue des élections d'octobre 1972 a révélé que le tout semblait avoir été fait de façon entièrement satisfaisante du point de vue de la Loi sur les langues officielles.

Bien que ces deux dispositions de la Loi électorale n'aient jamais, semble-t-il, donné lieu à des difficultés impliquant l'une des deux langues officielles, le Commissaire a estimé qu'il était nécessaire de les modifier de façon à prévenir toute situation qui, découlant d'une application *stricto sensu* de ces deux articles, contreviendrait à la Loi sur les langues officielles. Il serait par exemple pour le moins embarrassant qu'un citoyen d'expression anglaise ou française ne pût, en vertu de l'article 45, exercer son droit de vote.

Quant à la Règle 60 de l'Annexe A à l'article 18, elle est ainsi libellée : « Lorsque le réviseur ne comprend pas la langue d'un requérant, un interprète peut être assermenté et peut agir. »

« Lorsqu'un scrutateur ne comprend pas la langue d'un électeur, il doit nommer et asseoir un interprète qui lui sert d'intermédiaire pour communiquer à l'électeur tous les renseignements nécessaires pour qu'il puisse exercer son droit de vote. S'il est impossible de trouver un interprète, cet électeur ne doit pas être admis à voter. »

Deux autres articles de la Loi électorale ont retenu l'attention du groupe d'étude : il s'agit de l'article 45, paragraphe 19 et de la Règle 60 de l'Annexe A à l'article 18. Le premier se lit comme suit :

dépit de leur caractère positif, ne permettaient pas toujours d'assurer nécessairement le respect de la loi. C'est ainsi que les directives envoyées par le Directeur général manquaient, dans certains domaines, de précision ou, même, n'abordaient pas du tout quelques cas particuliers. À ce propos, l'étude a permis de relever l'absence de toute disposition relative aux territoires de vote spéciaux. Dans une perspective plus générale, le Commissaire s'est inquiété de ce que l'article 4, paragraphe 1, de la Loi électorale ne prévôit, pour le Directeur général, que la possibilité de transmettre des instructions se rapportant à l'application de la Loi électorale. Le Commissaire a estimé qu'il conviendrait de modifier cette loi de façon que le Directeur pût, en ce qui a trait aux exigences qui découlent de la Loi sur les langues officielles, prescrire et non pas simplement faire des suggestions.

« officiers d'élection » et le public. Plus de 220 000 personnes œuvrent, en période électorale, dans les 264 circonscriptions. Leur choix et leur nomination procèdent en fait des groupes politiques, et très rarement du Directeur général des élections.

Dans le cas des élections de 1972, c'est le Directeur général qui a déterminé les circonscriptions où seraient appliquées les dispositions de la Loi sur les langues officielles; il décida que toutes celles où cinq p. 100 au moins de la population recensée avaient pour langue maternelle l'une des deux langues officielles seraient désignées « bilingues ». C'est ainsi qu'en se fondant sur les résultats du recensement de 1971, l'on jugea « bilingues » 89 circonscriptions électorales, unilingues les 175 autres. Pendant l'élection, le personnel électoral employé dans les circonscriptions bilingues était de 70 000 environ.

De plus, le Directeur général des élections adressa à tous les présidents de scrutin une note, en date du 1<sup>er</sup> mai 1972, régissant l'utilisation des deux langues officielles dans la conduite des élections. Tous les directeurs en ont reçu une, dans des versions différentes, suivant que leur circonscription était bilingue ou unilingue. La note destinée aux circonscriptions électorales bilingues, pour satisfaisante qu'elle fût dans l'ensemble, n'en contenait pas moins quelques imperfections et omissions.

Dans le domaine des affiches et avis et dans celui des formules, le groupe d'étude a relevé quelques lacunes que le bureau du Directeur général devrait pouvoir corriger facilement.

Un aspect particulier de la préparation et de la présentation des affiches mérite d'être relevé. L'impression de la plupart de ces affiches se fait au niveau des circonscriptions à partir de modèles préparés par le bureau du Directeur général des élections. La Loi électorale confie aux présidents d'élection le soin de choisir les imprimeurs qui seront chargés du travail. Or, cet arrangement ne semble pas garantir une impression irréprochable dans les deux langues, car les imprimeries choisies ne sont pas toujours suffisamment équipées pour exécuter leurs travaux et en anglais et en français. Une plus grande vigilance devrait obvier à cette source potentielle de difficultés. Au besoin, il sera peut-être nécessaire de modifier la Loi électorale en vue de corriger cette situation.

L'examen des articles de papeterie — papier à lettres, enveloppes, cartes d'hommages du Directeur général, cartes de visite — remis au groupe d'étude a permis de constater que ces documents étaient présentés de façon irréprochable du point de vue de la Loi sur les langues officielles.

Au chapitre des contacts — oraux et écrits — que le bureau du Directeur général et les bureaux d'élection des circonscriptions ont avec la population, le groupe d'étude a observé que les mesures prises, en



Le Commissaire, en entreprenant cette étude en avril 1972, à la suite d'entretiens qu'il avait eus avec le Directeur général des élections sur l'invitation de ce dernier, voulait examiner les services que le bureau du Directeur général assure au moment des élections et indiquer, le cas échéant, les correctifs à apporter aux préparatifs des élections générales et partielles pour que ces dernières se déroulent conformément à la Loi sur les langues officielles.

L'étude a porté sur les préparatifs, alors en cours, des élections générales qui devaient, selon toute probabilité, se dérouler dans un avenir prochain. Ces élections, on s'en souviendra, eurent lieu en octobre 1972.

Le groupe chargé de l'étude a tout d'abord cerné les aspects de l'activité du bureau du Directeur général qui engendrent, pour ce dernier, des contacts avec le public. Ce travail a débouché sur six thèmes de recherches : les affiches et avis, les formules et articles de papeterie, le service téléphonique, la correspondance, les contacts immédiats qui s'établissent entre le public et les différents « officiers d'élection » et, enfin, l'information et la publicité.

Pour les fins de l'étude, le mot « public » a été pris dans son sens le plus large. Ce public englobe non seulement la population et le corps électoral — ce qui comprend les militaires et les employés fédéraux en poste à l'étranger pris dans leur rôle d'électeurs — mais encore les candidats et leurs divers représentants ou agents.

La Loi électorale du Canada régit le déroulement des élections fédérales et les activités du bureau du Directeur général des élections. Elle confère, sur le plan administratif, un caractère particulier au bureau du Directeur général. Ce dernier organise et surveille, à partir d'Ottawa, les élections générales et partielles dans l'ensemble du territoire canadien et dans les territoires de vote situés à l'étranger. Mais, au contraire de la plupart des autres institutions fédérales, son action sur une aire géographique aussi vaste ne s'exerce pas par l'entremise de bureaux régionaux. Les structures mises en place dans les différents territoires de vote jouissent d'une relative autonomie et le Directeur général ne peut intervenir auprès des « officiers d'élection » que dans le cadre des limites prescrites par la Loi électorale.

Au moment de l'étude, l'effectif permanent du bureau, à l'administration centrale, se composait de 25 employés, dont huit étaient régulièrement en contact avec le public et étaient bilingues. En période électorale, des employés temporaires sont engagés, en nombre variable, mais ils n'ont aucun contact direct avec le public. C'est essentiellement au niveau des circonscriptions électorales, des districts de révision et des bureaux spéciaux de scrutin qu'interviennent les relations entre les

a l'intention « de demander aux présidents d'élection des circonscriptions en cause de faire plus d'efforts pour arriver à un état de fait qui se rapprocherait davantage des exigences de la Loi sur les langues officielles (. . . ) ». C'est là une initiative que reste bien en deçà de la mesure prévue par ces deux recommandations, à savoir une information précise et complète des présidents d'élection concernés.

Pour ce qui est des deux autres recommandations, le Directeur général a fait savoir au Commissaire qu'il les présentera « au Comité permanent des privilèges et élections, lorsque ce dernier se réunira pour apporter des modifications à la Loi électorale du Canada ». Or, le Commissaire avait demandé au Directeur général de proposer, « des que possible, à l'Orateur de la Chambre des communes », les modifications souhaitées. Bien que l'action proposée par l'organisme permette d'atteindre, en fin de compte, l'objectif visé par les deux recommandations, le Commissaire est d'avis que la procédure choisie risque de renvoyer *sine die* l'examen de la question.

Enfin, rien n'a été prévu à propos de quatre autres recommandations, le Directeur général voulant, avant de les appliquer, en faire une étude plus poussée. Ce sont les recommandations qui touchent les communications du public avec les bureaux d'élection situés dans certaines circonscriptions, les directives que le Directeur général devrait faire parvenir aux présidents d'élection spéciaux, les candidats aux postes de scrutateurs spéciaux et la modification qu'il conviendrait d'apporter à la Loi électorale afin que cette dernière permette au Directeur général de transmettre aux « officiers d'élection » les instructions qu'il juge nécessaires pour que soit observée la Loi sur les langues officielles. Pourtant, ces recommandations, et plus particulièrement la dernière, sont importantes car, appliquées avec soin, elles permettraient au Directeur général de mieux prévenir toute situation qui contreviendrait à la Loi sur les langues officielles. En conséquence, le Commissaire compte poursuivre le contrôle de l'application de ses recommandations et faire état des résultats de ses démarches dans son prochain rapport annuel.

L'instruction des plaintes (17) n'a été suivie, en règle générale, d'aucune recommandation concernant la conduite des élections, les recommandations idoines ayant été formulées dans le cadre de l'étude spéciale. Le Commissaire a par contre porté chaque plainte à l'attention du Directeur général des élections lui demandant des explications au sujet des situations décrites par les plaignants. Le Directeur général a par la suite mené auprès des présidents d'élection des circonscriptions électorales concernées une enquête dont il a transmis les résultats au Commissaire. L'étude des dossiers démontre que les explications ont été données d'une manière systématique.

ne 1972 (la possibilité de devoir organiser, à très brève échéance, de nouvelles élections était réelle), avait pris, ou se proposait de prendre, les mesures nécessaires en vue de donner suite aux dernières recommandations.

C'est ainsi que le bureau a fait savoir au Commissaire que les recommandations formulées à propos des bulletins de vote, du service téléphonique, de la correspondance et de certains avis ou notifications que les « officiers d'élection » font parvenir aux électeurs étaient déjà appliquées ou alors le seraient d'ici aux prochaines élections générales ou partielles. Les mesures proposées par le bureau pour mettre en œuvre ces recommandations sont, sous réserve d'inventaire, tout à fait satisfaisantes.

Les indications fournies par l'organisme au sujet de trois autres recommandations laissent présager que celles-ci pourraient être intégralement appliquées, une fois complétées les mesures déjà prévues. L'action que le bureau du Directeur général entend prendre pour appliquer les deux recommandations qui traitent des avis, listes et autres documents affichés à la vue du public devrait permettre de redire considérablement le risque d'avoir des situations qui contreviennent à la Loi sur les langues officielles, surtout lorsque le bureau aura réussi à régler la question difficile de la traduction qui est faite, au moment des élections, au niveau des circonscriptions électorales.

En outre, pour ce qui est du choix, par les présidents d'élection, des imprimeurs, le Directeur général des élections a accepté d'émettre, pour les prochaines élections, des directives qui tiendraient compte de la recommandation du Commissaire. Le Directeur général a toutefois mentionné qu'il était difficile, dans certains cas, de trouver des imprimeurs suffisamment équipés pour imprimer des textes français de façon irréprochable. Tout en reconnaissant qu'il s'agit là d'un problème réel, le Commissaire est d'avis qu'il faudra absolument prendre les précautions nécessaires pour éviter que l'égalité de statut des deux langues ne soit pas respectée (ce qui serait le cas si, par exemple, les accents manquaient au texte français).

Les mesures que se propose de prendre l'organisme en vue de donner suite à quatre des recommandations sont insuffisantes : il s'agit, d'une part, des deux recommandations qui concernent les « officiers d'élection » qui travaillent dans les circonscriptions considérées comme bilingues et, d'autre part, de deux recommandations qui visent à modifier deux articles de la Loi électorale du Canada.

Le Commissaire avait formulé les deux premières après avoir constaté que les suggestions faites aux présidents d'élection des circonscriptions bilingues en matière de recrutement par le Directeur général avant les élections de 1972 omettaient certains éléments ou manquaient de précision. En réponse, le Directeur général a indiqué qu'il



Un francophone, secrétaire trésorier d'un district scolaire de l'Alberta, se plaint d'avoir reçu une lettre rédigée uniquement en anglais sur le recrutement de professeurs pour les écoles du ministère en Europe.

Le ministère a expliqué qu'il avait pour politique de s'adresser aux commissions scolaires dans leur langue. Cette règle avait été observée lorsqu'il s'était agi de communiquer avec elles durant la campagne annuelle de recrutement de professeurs pour les écoles du ministère en Europe. Là où la commission scolaire représentait des écoles françaises et anglaises, la correspondance se faisait dans les deux langues officielles.

Dans le cas des commissions scolaires nouvellement créées à travers le pays, il était parfois difficile d'établir quelle devait être la langue de communication. Certaines d'entre elles avaient exprimé leur préférence pour une langue ou pour l'autre, ou pour les deux, et le ministère s'était conformé à leur désir. Le ministère a ajouté qu'il aimerait savoir dans quelle langue la commission scolaire en question désirait recevoir ses communications.

Le ministère a été informé du nom et de l'adresse du plaignant. Celui-ci a exprimé le désir de recevoir toute correspondance ultérieure en français.

DIRECTEUR GÉNÉRAL DES ÉLECTIONS — « Que le meilleur l'emporte »

## APPRECIATION

Le bureau du Directeur général des élections a manifesté un excellent esprit de collaboration pour régler les plaintes reçues par le Commissaire au moment des élections générales d'octobre 1972. De surcroît, le Directeur général avait pris l'heureuse initiative de consulter de son propre chef le bureau du Commissaire avant les élections générales de 1972 afin de prévenir de telles plaintes.

En revanche, le Commissaire estime que l'organisme aurait pu agir avec un peu plus de diligence pour appliquer plusieurs des seize recommandations formulées, en juillet 1972, à la suite d'une étude spéciale. En effet, les renseignements fournis par le bureau du Directeur général en octobre 1973 indiquent qu'après plus d'une année, quatre recommandations étaient encore à l'étude, quatre avaient été appliquées de façon peu satisfaisante et trois autres ne l'avaient été que partiellement. Le Commissaire tient cependant à souligner que l'organisme, en dépit de la situation particulière née du scrutin du 30 octo-

• Un plaignant rapporte que la liste des numéros de téléphone des forces canadiennes ne paraît pas en français dans l'annuaire téléphonique.

Le ministre a informé le Commissaire qu'il avait fait le nécessaire pour que cette liste paraisse en français dans la prochaine édition de l'annuaire. Il a également établi, à l'intention des établissements militaires d'Europe et du Canada, des directives précisant qu'à compter de décembre 1972, il faudrait publier en français et en anglais tous les numéros de téléphone dont l'abonnement était réglé à même les fonds publics. En outre, le ministre a fait parvenir ces directives à plusieurs établissements sous son contrôle mais n'émargeant pas au budget de l'État. Il a également signifié son intention d'émettre d'autres directives soulignant la nécessité de faire paraître dans les deux langues les numéros de téléphone des établissements, tels que le numéro des économes, mess, cantines, etc., dans la région de la capitale nationale, au Québec, dans les districts bilingues et partout où il existait des unités de langue française.

• Un francophone rapporte que lorsqu'il a téléphoné au Quartier général des Forces canadiennes au sujet d'une convention aux règlements de la circulation, un anglophone lui a répondu en anglais seulement et aurait ajouté d'un ton irrité que personne au bureau ne parlait français.

Le ministre a expliqué au Commissaire que c'était un policier militaire, chargé de la circulation, qui avait répondu à l'appel. Le numéro de ce service ne paraissait pas à l'annuaire téléphonique d'Ottawa-Hull parce que le rôle principal de ce poste était de réglementer la circulation, et non de donner des renseignements au public. Conformément aux instructions en cours, deux policiers étaient de service à ce bureau, dont l'un était bilingue. Lorsqu'un appel venait d'un francophone, le policier unilingue, incapable de converser en français, devait passer l'appel à son collègue bilingue. Au moment de l'appel, l'agent de service se trouvait provisoirement seul au bureau. Il semblait que cet officier anglophone unilingue n'ait pas eu le temps de proposer de transférer l'appel à une autre personne car le plaignant a raccroché, après avoir fait quelques commentaires. Le ministre a expliqué qu'il lui était difficile d'établir si l'officier avait véritablement agi de façon préhensible.

Le Commissaire a informé le plaignant qu'il n'y avait pas eu de convention à la Loi sur les langues officielles. Il a souligné en outre qu'au lieu de prévenir de tels malentendus, le Quartier général des Forces canadiennes avait publié des directives quant à la conduite à observer chaque fois qu'un policier militaire ou un officier affecté au poste de garde n'était pas en mesure de répondre à un appel dans la langue officielle de l'interlocuteur.

mis bilingues.

Les demandes de renseignements d'ordre complexe ou technique étaient transférées directement par téléphone à des officiers ou des com-

au téléphone. et répondait à leurs questions ainsi qu'à celles qui étaient posées après leur fermeture. Le Centre remettait les laissez-passer aux visiteurs trente minutes avant l'ouverture des bureaux jusqu'à trente minutes aux demandes de renseignements tous les jours de la semaine, depuis entrant en service. Un personnel bilingue, trié sur le volet, répondait général de la Défense nationale situé sur la promenade du Colonel By En juillet 1973, le Centre d'information téléphonique du Quartier les sections et directions d'un personnel bilingue.

que l'on n'entrevoit pas la possibilité de doter dans l'immédiat toutes du ministère visant à trouver une solution durable à ce problème, puis- Cette recommandation a fait l'objet d'une étude globale de la part dans la langue officielle qu'il ne connaissait pas.

attendait d'un membre du personnel qui recevait un appel téléphonique personnel, ou, si nécessaire, d'émettre des directives précisant ce qu'on le Commissaire a recommandé au ministère de rappeler sa politique au Afin de prévenir, dans la mesure du possible, des plaintes analogues, au public et où on n'avait désigné aucun poste bilingue.

fonctions, plutôt qu'à une section qui n'avait pas habituellement affaire dresser à une direction où un personnel bilingue était normalement en ministère était d'avis qu'il aurait fallu demander au plaignant de s'a- cause du manque de candidats répondant aux exigences requises. Le par les Forces canadiennes n'avaient pas encore tous été pourvus, à au Quartier général, c'était parce que les postes désignés comme bilingues plaignant. Il a souligné que si le personnel bilingue était peu nombreux Le ministère a prié le Commissaire de transmettre ses excuses au renseignements.

avec une section du Quartier général qu'il appelait pour obtenir certains porte qu'il n'a pas réussi à communiquer en français, par téléphone, • Un fonctionnaire du ministère des Affaires sociales du Québec rap-

#### *Dossiers nos 1085, 1273, 1290—Téléphone*

et imprimer la nouvelle brochure.

souligné qu'il faudrait environ six mois pour épuiser les stocks actuels de la nouvelle brochure et on a promis de le faire. Le ministère a Le Commissaire a demandé qu'on lui transmette un exemplaire dans la mesure du possible.

conformément à sa politique qui consistait à adopter cette présentation du Canada de publier dorénavant ces brochures sous format bilingue, de tels incidents, il avait proposé à l'Organisation des mesures d'urgence Le ministère a informé le Commissaire qu'il avait évité la répétition



*Dossier n° 1583—L'Organisation des mesures d'urgence du Canada*

Un fonctionnaire francophone se plaint d'avoir reçu, avec son chèque de paye, la version anglaise d'une brochure publiée par l'Organisation des mesures d'urgence du Canada.

L'instruction a révélé que toutes les brochures du genre étaient disponibles en français comme en anglais. Des exemplaires avaient été remis aux ministères et aux gouvernements provinciaux, qui devaient les diffuser comme il se doit.

Le ministre s'est étonné de cette plainte car il avait récemment émis des directives sur les communications avec les journaux de langue française. Il a ajouté que la Direction de ses services d'information diffusait ses communications en français et en anglais, conformément aux dispositions de la Loi sur les langues officielles. D'autre part, les bureaux régionaux du ministre publiaient des nouvelles d'intérêt local, soit en français, soit en anglais, soit dans les deux langues, selon les régions.

Le ministre avait pour politique de donner, sur demande, des informations dans les deux langues, au Canada comme à l'étranger. Il s'efforçait d'aller au-delà de l'objectif du gouvernement de répondre à toutes les demandes importantes de manière satisfaisante. Toutefois, le personnel bilingue compétent ainsi que les services de traduction nécessaires à l'application de cette politique faisaient alors défaut. Cette situation prévalait aussi au bureau régional d'Edmonton qui avait diffusé environ cinquante communications de presse depuis le début de 1972. Le ministre n'a pas accepté la suggestion de faire traduire tous les communications à Ottawa, vu la faible proportion (moins de 10 p. 100) de ceux qui étaient publiés en français.

Le chef du bureau régional d'Edmonton s'est entretenu avec le rédacteur en chef du journal en question et ils se sont mis d'accord pour que les communications préparées au bureau d'Edmonton et qui présentaient quelque intérêt pour les lecteurs de langue française, soient discutées de vive voix pour être ensuite rédigées en français au journal même ou, nécessaire, envoyées à Ottawa pour y être traduites.

Entre temps, une enquête tenue à Edmonton a révélé à cet endroit l'existence de services de traduction au bureau du Secrétaire d'Etat. Ces services assureraient désormais la traduction de tous les communications se rapportant au 1<sup>er</sup> Commando aéroporté, seuls communications auxquels le journal qui avait porté plainte s'intéressait.

Le ministre a reconnu que cette situation était loin d'être idéale, puisque les rapports oraux auraient encore lieu en anglais, mais il espérait avoir un jour du personnel bilingue ou des services de traduction qui permettraient de diffuser tous les communiqués dans les deux langues officielles.

anglais.

La rédaction d'un journal de langue française de l'Alberta rap-  
porte que le service d'information d'une base militaire située dans la  
région d'Edmonton lui adresse des communications uniquement en

*Dossier n° 940—Communications de presse*

Le ministère a accepté d'enlever la vignette.

affiche une vignette unilingue.

• Un membre d'un groupe culturel francophone rapporte que le  
pare-brise d'un véhicule portant le numéro matricule 15901 (Canada)

bilingues.

Le ministère s'est dit d'accord pour installer des panneaux  
unilingues anglais.

• Un francophone rapporte qu'au cours d'un séjour à North Bay,  
il a pu voir à la caserne Chippewa plusieurs panneaux de signalisation

avant la fin de 1973.

Le ministère a souligné qu'il faisait en sorte que ces nouvelles  
directives soient appliquées le plus rapidement possible et prévoyait que  
90 p. 100 des avions militaires porteraient la nouvelle signalisation

médiane.

« Canada » serait peint sur le fuselage, un peu au-dessus de la ligne  
La même inscription se répéterait de chaque côté de l'avion, et le nom  
de part et d'autre de la feuille d'érable, sur la partie avant de l'avion.  
« Armed Forces » et « Forces Armées » apparaîtraient sur deux lignes  
adopté une nouvelle politique à cet égard et, dorénavant, les expressions  
sion que l'inscription n'était rédigée qu'en anglais. Le ministère a donc  
diennes ». Ceci donnait aux passagers qui montaient à bord l'impres-  
sion que l'inscription figurait l'inscription française « Forces Armées Cana-  
diennes » paraissait sur la porte du côté gauche du fuselage, alors que sur la  
porte de droite figurait l'inscription française « Forces Armées Cana-  
diennes ». Ceci donnait aux passagers qui montaient à bord l'impres-  
sion que l'inscription n'était rédigée qu'en anglais. Le ministère a donc  
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La même inscription se répéterait de chaque côté de l'avion, et le nom  
« Canada » serait peint sur le fuselage, un peu au-dessus de la ligne

Forces » figure uniquement en anglais sur la porte des avions militaires.

• Un francophone rapporte que l'inscription « Canadian Armed

de 1973.

Le ministère a admis l'existence de ces panneaux et entrepris de les  
remplacer par d'autres bilingues. Ceux-ci devaient être installés à la fin

neux de signalisation sont unilingues anglais.

• Un francophone se plaint qu'au terrain de stationnement du Centre  
médical du ministère, promenade Alta Vista à Ottawa, nombre de pan-

figurent dans les deux langues officielles.

drat les mesures nécessaires pour que les renseignements voulus y  
faction, et qu'un autre type de vignettes était requis en 1974, il pren-

• Un correspondant rapporte que lors d'une rencontre de cadets de l'armée, il a constaté que l'uniforme des corps de cadets des régiments affiliés au Royal 22<sup>e</sup> Régiment, au Royal Montreal Régiment et aux Fusiliers Mont-Royal, reflétait l'unilinguisme anglais ou du moins la priorité accordée à l'anglais.

Le ministre a informé le Commissaire que la plupart des corps de cadets étaient affiliés à une unité, soit des forces régulières, soit de la réserve. Seulement trois corps de cadets francophones faisaient exception à la règle. Lorsqu'il s'agissait d'affiliation, comme dans le cas présent, il était d'usage que l'épaulette soit celle de l'unité à laquelle ce corps était rattaché. Les noms de régiments célèbres tels le Royal 22<sup>e</sup> Régiment et le Royal Montreal Régiment n'étaient pas traduits. Il n'était donc pas impossible qu'un corps de cadets francophones, affilié à une unité de langue anglaise, porte une épaulette unilingue anglaise.

Le ministre a ajouté que deux autres insignes étaient autorisés : l'un représentant la feuille d'érable et l'inscription RCAC (Royal Canadian Army Cadets), qui n'existait jusqu'ici qu'en anglais mais qui serait distribué en français dès que possible, l'autre portant les mots « Army Cadet » aussi uniquement en anglais. Les corps de cadets francophones portant cet insigne en supprimaient habituellement la moitié pour ne garder que le mot « Cadet ».

Le ministre a finalement fait savoir au Commissaire que les insignes du nouvel uniforme vert seraient disponibles en français et en anglais. Ainsi, le choix des insignes s'effectuera en fonction de l'affiliation du corps de cadets et de sa langue de travail.

Le Commissaire a fait part de ces renseignements au correspondant en ajoutant que les mesures prises par le ministre quant aux insignes à porter remédieraient à la situation.

• Deux plaignants rapportent que les inscriptions de plusieurs pan-neaux de signalisation dans les édifices du ministère ne sont rédigés qu'en anglais.

Le ministre a admis que ces panneaux étaient unilingues et il a précisé qu'ils avaient été immédiatement remplacés par d'autres bilingues. Il a en outre procédé à une vérification des établissements militaires à Ottawa pour s'assurer que les panneaux unilingues anglais avaient été changés.

• Un francophone rapporte que les vignettes auto-risantes le stationnement des véhicules émises au quartier général sont unilingues anglaises.

Le ministre a précisé que ces vignettes avaient été modifiées pour 1973 de façon à n'utiliser que des chiffres ou des codes alphabétiques identiques dans les deux langues officielles. Le ministère a assuré le Commissaire que si ces permis de stationnement ne donnaient pas satis-



qui n'était ni français ni anglais, ne représentait qu'une marque de commerce. Il a toutefois indiqué au ministre qu'à son avis les Forces canadiennes ne pouvaient prétendre revendiquer qu'il s'agissait là d'un bilinguisme authentique.

• Une francophone prétend que lors d'une exposition militaire au Centre d'achat Saint-Laurent, à Ottawa, les directives, l'information et la publicité n'étaient disponibles qu'en anglais.

Le ministre a informé le Commissaire que la plainte n'était pas fondée et que le malentendu provenait de la négligence de la part de certains intérêts commerciaux représentés à l'exposition. Quelques annonces côte à côte dans les deux langues. Pour éviter que ne se reproduisent de telles erreurs, le ministre veillerait à ce que la publicité destinée aux expositions dans les districts bilingues éventuels et dans la capitale nationale soit bilingue.

Le Commissaire a recommandé au ministre que toute publicité destinée à une exposition soit toujours dans les deux langues.

Les autorités compétentes ont pris note de cette recommandation et ont assuré le Commissaire qu'elles feraient en sorte de se conformer à l'esprit et à la lettre de la Loi sur les langues officielles.

• Deux plaignants francophones, l'un de l'Ontario et l'autre du Nouveau-Brunswick, rapportent que les panneaux de signalisation sur la route menant à la Station des Forces canadiennes de Falconbridge et aux Bases de Chatham et Saint Margarets sont en anglais seulement. Le premier correspondant cite à l'appui les inscriptions :

« No trespassing », « Salesmen or Peddlers not allowed », « Keep Right ».

Le ministre a expliqué qu'il avait établi des directives en janvier 1973 exigeant que toutes les enseignes et tous les panneaux de signalisation des bases militaires soient bilingues. En conséquence, tous les panneaux de signalisation unilingues dans la région de la capitale nationale ont été immédiatement remplacés. Étant donné le grand nombre de panneaux et enseignes unilingues déjà en place et vu le coût élevé de leur remplacement, le ministre a reporté la date limite de la mise en application de cette directive à décembre 1973. Le ministre a informé le Commissaire qu'il avait demandé aux autorités militaires régionales de tenter par tous les moyens dont ils disposaient d'activer le remplacement de la signalisation unilingue de leurs bases et stations, en commençant par les panneaux à la vue du public.

Le Commissaire a été informé que le programme était en marche et que tous les panneaux de signalisation seraient bilingues avant décembre 1973.

cadets de l'air de la région de Saint-Eustache. D'après cet article, la cérémonie se serait déroulée entièrement en anglais, bien que la majorité

des participants étaient des francophones.

Le ministère a informé le Commandant de cha- que escadron était libre de choisir la langue officielle à utiliser au sein de l'unité. Dans le cas présent, le commandant avait établi son choix en se fondant sur les conseils des instructeurs et des cadets de l'escadron. Lors de l'inspection, le commandant avait commencé et terminé son allocution en français, et le représentant du comité provincial de la Ligue des cadets de l'air avait prononcé son discours entièrement en français.

Le ministère précisait qu'il faut éviter de telles critiques il avait été décidé qu'à partir de septembre 1972, le chef d'escadron donnerait les commandements d'exercice en français.

Le Commandant a recommandé que le ministère veuille à ce que le choix de la langue de commandement au sein des escadrons de la Ligue des cadets de l'air du Canada se fasse en fonction de critères communs à tous les escadrons plutôt que d'être laissé à la discrétion du commandant. Il a également recommandé que cette politique linguistique s'applique au sein de la Ligue navale du Canada et de la Ligue des cadets de l'armée du Canada.

Le ministère a accepté la recommandation du Commandant et lui a par la suite fait parvenir copie de ses « Directives sur le bilinguisme et le biculturalisme à l'intention des cadets et camps d'été ». Ces directives sur la mise en application au sein du ministère des « diverses politiques et directives gouvernementales sur le bilinguisme et le biculturalisme » touchaient l'administration, l'organisation, le recrutement, l'entraînement, l'exercice, les visites, les inspections ainsi que les publications.

*Dossiers nos 958, 1084, 1212, 1223, 1220, 1261, 1357, 1517, 1568, 1578, 1757, 1793—Aspects visuels*

• Une plaignante signale que l'enseigne unilingue anglais « Express-mart » identifie l'épicerie de la Base des Forces canadiennes d'Uplands, Ottawa. Elle souligne que les insignes des vendeurs et les sacs d'emballage portent également ce seul mot dont la traduction française « Mart-Express » est tout aussi inacceptable.

Le ministère a dit avoir choisi cette marque de commerce parce qu'elle lui semblait décrire adéquatement le magasin pour les deux groupes linguistiques. Il ne lui semblait pas que le mot « Expressmart » contrevienne aux dispositions de la Loi sur les langues officielles.

Le Commandant partageait l'avis du ministère et il a décidé de clore l'instruction de cette plainte puisque le vocable « Expressmart »,

Un plaignant transmet au Commissaire copie d'une lettre parue dans un quotidien français de Montréal sur l'inspection annuelle des

*Dossier n° 1187—Les cadets de Saint-Eustache*

Le Commissaire a admis, comme l'avait exposé le ministre, que la cérémonie avait un certain caractère bilingue mais à son avis, le programme préparé pour la cérémonie n'était pas conforme à l'esprit et à la lettre de la Loi sur les langues officielles. Il a recommandé que les programmes des cérémonies militaires à caractère public paraissent dorénavant sous format bilingue, ou séparément en versions anglaise et française. En octobre 1973, le ministre informait le Commissaire que ces programmes seraient désormais sous format bilingue.

ce texte dans les deux langues officielles. Le programme de la cérémonie reproduisait des Forces canadiennes. Le programme de la cérémonie reproduisait la bénédiction du drapeau avait été lu en français par l'Aumônier général avait prononcé son allocution en français et en anglais. La remise du drapeau était essentiellement une cérémonie religieuse et le texte de la Son Excellence le Gouverneur général, Colonel honoraire du régiment, que les commandements avaient donc été donnés en anglais. Cependant, part à cette cérémonie appartenait à une unité de langue anglaise et L'instruction de cette plainte a révélé que le régiment qui avait pris

partiellement. Cette cérémonie se serait déroulée uniquement en anglais. Garde à pied du Gouverneur général, le 1<sup>er</sup> juillet 1972, sur la colline parue dans le journal *Le Droit* concernant la remise du drapeau par la Un francophone attire l'attention du Commissaire sur un article

*Dossier n° 1135—Cérémonie à Ottawa*

Le Commissaire que cette question était encore à l'étude. giales de langue française. En octobre 1973, le ministre a informé faire le nécessaire pour répondre aux besoins d'enseignement des stagiaires de langues officielles, le Commissaire a recommandé au ministre de Comme cette anomalie contrevenait à l'esprit et à la lettre de la Loi sur pas les mêmes chances de succès que leurs collègues anglophones. officielle de leur choix les services dispensés à l'École et n'avaient donc constances les stagiaires francophones ne recevaient pas dans la langue Le Commissaire a fait remarquer au ministre que dans les cir-

publiés dans la langue enseignée, avec explications en anglais. données à l'École de langues étrangères venaient des États-Unis et étaient en vue d'assurer les services requis. Il a signalé, toutefois, que les cours Le ministre a mis le Commissaire au courant des mesures prises étrangères des Forces canadiennes. Cela ne semblait pas être le cas. pédagogiques aux personnes désireuses de s'inscrire à l'École de langues



Le Commissaire a rappelé au ministère qu'il avait l'obligation d'assurer dans les deux langues officielles les services administratifs et

français. Le Commissaire a souligné que selon la nouvelle méthode d'enseignement des langues mise de l'avant par le Bureau des langues de la Commission de la fonction publique, le professeur de langues étrangères ne devait pas employer deux langues d'enseignement. Il a admis, toutefois, que si le professeur connaissait le français, cela faciliterait ses relations avec les étudiants francophones en dehors des heures de classe et au début du cours. Enfin, le ministère a déclaré que le manque de personnel francophone à cette école n'avait pas échappé au Quartier général des Forces canadiennes puisque l'on avait déjà envisagé d'y affecter prochainement un spécialiste en éducation possédant parfaitement le français.

L'étudiant. Les résultats de ce test n'étaient pas versés au dossier de sélection. Et que, de toute manière, il ne pouvait en aucun cas servir de base de tenus de le subir, puisqu'il était réservé aux besoins internes de l'École soulignant que les étudiants francophones ou anglophones n'étaient pas Le ministère a admis que le test n'existait qu'en anglais, tout en étrangers n'y est donné qu'à partir de l'anglais.

professeurs ne connaît le français et que l'enseignement des langues sont éliminés au départ. Le plaignant prétend également qu'aucun des les francophones qui n'ont pas une connaissance suffisante de l'anglais Language Aptitude Test) qui existe seulement en anglais. D'après lui, nes doivent subir un test d'aptitude pour les langues étrangères (Modern de suivre un cours à l'École de langues étrangères des Forces canadiennes Un francophone se plaint du fait que les fonctionnaires désireux

#### *Dossier n° 1351—Test d'aptitude pour les langues*

était encore à l'étude. Officielles. En octobre 1973, le ministère faisait savoir que cette question leur choix, conformément aux dispositions de la Loi sur les langues médécins francophones une formation élémentaire dans la langue de par le ministère, le Commissaire lui a recommandé d'assurer aux jeunes nes. Tout en tenant compte des contraintes et des priorités invoquées que subiraient une fois de plus les jeunes médécins militaires francophones. Pour réduire dans la mesure du possible l'inégalité des conditions de nombreuses mesures spéciales que le ministère avait décidé de prendre contre, il s'est dit bien aise de noter que ceux-ci bénéficieraient

médécins militaires francophones. L'été 1973 dispenser l'enseignement en français aux treize nouveaux Le Commissaire a regretté que le ministère ne puisse pas durant

uelle de ressources. la recommandation du Commissaire pour l'été 1973, vu la pénurie ac-

cause de la pénurie d'instructeurs francophones à la Base des Forces canadiennes de Borden. Le porte-parole du groupe ajoute que les officiers responsables n'ont fait aucun cas des nombreuses demandes verbales du groupe en vue d'obtenir des cours en français ou en traduction simultanée.

Le ministère a informé le Commissaire que, depuis 1969, de plus en plus de militaires francophones avaient pu suivre les cours donnés dans leur langue, grâce à la politique des Forces canadiennes qui visait à assurer que les cours soient donnés en français au plus grand nombre possible de recrues, compte tenu de la disponibilité d'instructeurs compétents. Le ministère estimait que 85 p. 100 des recrues francophones avaient pu suivre en français les cours de formation élémentaire dans leur discipline. Pour les autres, un programme de léçons particulières avait été conçu, mais son efficacité était mitigée à cause de la pénurie d'instructeurs de langue française et de la difficulté d'obtenir la traduction du matériel d'enseignement, des examens, etc. Le ministère a ajouté que les autorités de l'école étudiaient la possibilité d'étendre l'enseignement en langue française à tous les niveaux d'une discipline; cette extension serait forcément liée au calendrier établi pour la mise en œuvre du programme visant à promouvoir le bilinguisme et le biculturalisme au ministère. En attendant qu'il soit possible de donner le cours élémentaire en français aux médecins militaires francophones, le ministère verrait à ce qu'ils puissent recevoir, dans la mesure du possible, des explications en français.

Après avoir obtenu des précisions du plaignant, le Commissaire a informé le ministère qu'à son avis, les Forces canadiennes prenaient pour acquis que la majorité des médecins francophones qui terminaient le cours avaient une connaissance passive de l'anglais, alors que le plaignant prétendait qu'un grand nombre d'entre eux n'avaient qu'une connaissance superficielle de l'anglais écrit. Il a souligné que ce facteur avait son importance car, selon le plaignant, le fait de recevoir des explications en français ne constituait pas une solution valable.

Le Commissaire a souligné qu'il y aurait lieu d'étudier plus avant la possibilité de donner un cours élémentaire en français, puis que le nombre de candidats francophones, qui avaient suivi le cours durant l'été 1973 dispensé par l'enseignement en français aux treize nouveaux de la Loi sur les langues officielles. Il a recommandé que le cours soit donné en français en 1973 si le nombre de candidats francophones le justifiait, même au prix de mesures exceptionnelles.

Après avoir examiné la question de nouveau, le ministère a répondu que tout en reconnaissant le droit de l'individu à l'enseignement dans la langue de son choix, il n'était pas en mesure de se conformer à

Le plaignant rapporte qu'après avoir terminé leurs études de médecine, vingt-neuf officiers ont été affectés à l'École du Service de santé des Forces canadiennes à Borden, pour y suivre le cours élémentaire 7201 à l'intention des médecins militaires. Le cours s'est donné intégralement en anglais, bien que douze des membres du groupe fussent francophones et dans l'impossibilité d'utiliser l'anglais comme langue de travail. Sept de ces médecins, dont cinq francophones, ont été invités par la suite à suivre un autre cours, d'une semaine cette fois, qui a également été donné en anglais à

#### *Dossier n° 1165—Cours de médecine*

Le Commissaire a informé le plaignant qu'il était d'avis que le ministère était conscient de ses responsabilités dans le domaine de l'éducation et qu'il s'efforçait d'observer les dispositions de la Loi sur les langues officielles.

Le Commissaire a pris des mesures afin que la signalisation et tous les avis paraissent dans les deux langues à compter du 1<sup>er</sup> décembre 1973.

Le ministère a soulevé la question de la signalisation et des avis paraissant dans les deux langues à compter du 1<sup>er</sup> décembre 1973. Le ministère a pris des mesures afin que la signalisation et tous les avis paraissent dans les deux langues à compter du 1<sup>er</sup> décembre 1973.

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Après sa visite à Chilliwack, l'observateur du Bureau du Commissaire a soulevé la question de la signalisation et des avis paraissant dans les deux langues à compter du 1<sup>er</sup> décembre 1973. Le ministère a soulevé la question de la signalisation et des avis paraissant dans les deux langues à compter du 1<sup>er</sup> décembre 1973. Le ministère a soulevé la question de la signalisation et des avis paraissant dans les deux langues à compter du 1<sup>er</sup> décembre 1973.

L'étude a révélé que seuls les parents de six enfants, sur un total de quarante, se proposaient d'inscrire leurs enfants à l'école française en septembre 1973. Malgré cela, le ministère était disposé à réexaminer la question dès que le nombre de parents désireux de faire suivre à leurs enfants des cours en français serait suffisant.

Le ministère a ajouté qu'un comité récemment formé au Quartier général des Forces canadiennes étudiait le problème complexe de l'éducation des enfants des militaires et des employés civils, plus particulièrement celui de l'éducation des enfants francophones. L'une des possibilités envisagées visait l'établissement de cours donnés en français dans certaines bases en dehors du Québec quand le nombre de francophones le justifiait. En octobre 1973, le ministère informait le Commissaire que le comité était devenu permanent.

Après sa visite à Chilliwack, l'observateur du Bureau du Commissaire a soulevé la question de la signalisation et des avis paraissant dans les deux langues à compter du 1<sup>er</sup> décembre 1973. Le ministère a soulevé la question de la signalisation et des avis paraissant dans les deux langues à compter du 1<sup>er</sup> décembre 1973.



Étant donné que la division d'Assurance de la qualité faisait partie des quartiers généraux, l'auteur de la lettre était libre d'utiliser la langue de son choix. Si la correspondance interne était presque entièrement rédigée en anglais, cela tenait au fait que la grande majorité des membres du personnel étaient des anglophones.

Le ministère projetait d'autre part de traduire tous les manuels qu'utilisaient les Forces canadiennes et, en commençant par les nouveaux, de les diffuser dans les deux langues.

Le Commissaire était d'avis que la politique de bilinguisme, appliquée de la façon que le ministère avait énoncée dans la réponse qu'il lui avait fait parvenir et dont une copie a été envoyée au plaignant, était conforme aux dispositions de la Loi sur les langues officielles.

Il a par ailleurs informé le plaignant que le ministère avait entrepris de corriger dès que possible les lacunes qui lui avaient été signalées.

#### *Dossier n° 964—Enseignement à Chilliwack*

Un membre d'une association professionnelle s'enquiert auprès du Commissaire de la possibilité d'organiser à Chilliwack (Colombie-Britannique) des cours en français au niveau primaire, selon la formule expérimentale de cours intensifs de langue établie à Saint-Lambert (Québec). Il envoie un exemplaire d'une étude présentée à la Commission scolaire de l'endroit. Bien qu'environ 600 parents d'élèves de la région, y compris plusieurs militantes de la base de Chilliwack, soient favorables à l'établissement d'une telle école, la Commission scolaire n'a pas consenti à assurer des cours en français. Les militantes francophones se voient donc obligées d'envoyer leurs enfants à l'école publique de langue anglaise. Le plaignant exprime le vœu qu'une maternelle et une classe de première année soient mises sur pied prochainement à la Base. Les enfants de francophones n'habitant pas la Base pourraient avoir accès à ces cours, moyennant le paiement de frais raisonnables d'inscription.

Le Commissaire a souligné au plaignant que l'éducation était du ressort exclusif des gouvernements provinciaux et lui a expliqué en détail la politique touchant les relations entre le ministère et ces gouvernements dans ce domaine.

Le Commissaire a officiellement porté la plainte à la connaissance du ministère. Celui-ci a répondu que les enfants des militantes étaient inscrits aux écoles publiques de la région, conformément aux termes d'un accord entre le ministère et le gouvernement de la Colombie-Britannique. Les cours s'y donnaient en anglais exclusivement. Dans le passé la demande n'avait pas justifié des démarches auprès des autorités de Chilliwack pour l'établissement d'écoles où la langue d'enseignement serait le français. Une équipe du ministère s'était rendue à la Base pour étudier

missaire a exprimé l'avis, fondé sur une étude approfondie du cas, que la loi n'établissait pas le droit pour le plaignant, à titre de membre des Forces canadiennes, de choisir dans toutes les circonstances sa langue de travail préférée. En conséquence, la décision du ministère concernant son affectation ou son maintien dans une unité de langue française ne constituait pas en soi une infraction à la lettre et à l'esprit de la loi ou à l'intention du législateur. Il a rappelé au plaignant que les Forces canadiennes, en vertu des termes de son engagement et des dispositions de la Loi sur la défense nationale, avaient le droit de lui confier des tâches dans une unité où sa compétence linguistique dans les deux langues officielles et ses aptitudes techniques serviraient le mieux les intérêts de l'armée.

Enfin, le Commissaire a transmis au plaignant l'information obtenue du ministère quant à la méthode à suivre pour consigner différemment son statut linguistique.

• Un francophone se plaint que la division d'Assurance de la qualité diffuse uniquement en anglais ses directives, instructions, circulaires et notes de service et que les quartiers généraux du ministère, sauf le bureau du Directeur général — bilinguisme et biculturalisme, ne correspondent qu'en anglais avec la division. Il déclare également que la publication n° 193, *DND Manual of Quality Assurance* (en quatre volumes), n'est offerte qu'en anglais, et ajoute qu'aucun effort n'est déployé dans sa division pour améliorer la situation linguistique.

Le ministère a transmis au Commissaire un exposé de sa politique de bilinguisme en matière de publications. Les documents destinés aux Forces canadiennes devaient être rédigés et imprimés dans les deux langues officielles et ceux qui étaient de portée locale et destinés au personnel de la région de la capitale nationale et à d'autres secteurs où la demande était importante devaient également être bilingues. Jusqu'à présent, le ministère n'a pu atteindre cet objectif en raison de l'absence souvent totale de personnel bilingue et des problèmes de traduction, de composition et d'impression. Nonobstant ces difficultés, il a entrepris l'impression de publications bilingues et espérait être bientôt en mesure d'accélérer ce programme.

Le ministère a en outre expliqué que les communications internes se faisaient dans la langue de travail des unités intéressées. Cependant, les hauts fonctionnaires devaient correspondre dans la langue de travail de l'unité à laquelle ils s'adressaient. Les quartiers généraux du ministère étaient une unité appelée « nationale », c'est-à-dire une unité dans laquelle les francophones et les anglophones étaient représentés dans la même proportion qu'à l'échelle nationale. La politique ministérielle permettait aux unités nationales d'échanger, selon le cas, des lettres écrites dans les deux langues officielles.

leur connaissance de l'autre langue officielle. Par exemple, un militaire francophone ayant fait preuve d'une assez bonne connaissance de l'anglais pouvait choisir, au début de sa carrière militaire, de suivre ses cours techniques en anglais, ce qui augmenterait ses chances d'affectation à une unité de langue anglaise.

Les unités de langue française constituaient l'assise du programme visant à offrir des chances égales d'avancement et, par conséquent, un exode des francophones bilingues vers les unités de langue anglaise pourrait mettre leur viabilité en péril. Le ministère ne pouvait donc permettre à un francophone bilingue de choisir en toute liberté de travailler en anglais.

Le ministère croyait nécessaire, dans le cas présent, de poser la question suivante : le militaire était-il bilingue lors de son enrôlement ou avait-il appris la langue seconde grâce à des cours offerts par le ministère ? Dans le premier cas, il aurait pu indiquer la langue de travail qu'il préférerait et, lors de son affectation, ses désirs auraient été autant que possible respectés. Dans le second cas, le ministère ne considérerait pas que le militaire avait le droit de refuser de travailler dans l'une des langues officielles, étant donné que les connaissances linguistiques acquises par le moyen des cours du ministère devaient être considérées dans la même optique que les autres connaissances obtenues grâce à ses cours de formation.

Si un militaire francophone refusait catégoriquement de travailler en français, il pouvait, s'il avait passé le test de langue habituel, choisir de faire reconnaître l'anglais comme sa première langue. Dans ce cas, il serait considéré comme un anglophone unilingue, ce qui ne serait pas avantageux pour lui car le bilinguisme entrerait en ligne de compte lors de l'évaluation de la compétence et accroissait ordinairement les chances d'avancement.

Le ministère a reconnu que l'insuffisance de militaires bilingues dans les Forces canadiennes l'empêchait d'avoir la souplesse qu'il désirerait. Pour tous les postes importants, il lui fallait nommer des titulaires possédant les aptitudes professionnelles nécessaires et il devait quelquefois demander à un militaire bilingue de travailler dans l'une ou l'autre langue officielle. Il espérait toutefois que le recrutement de francophones lui permettrait de répondre aux désirs de ceux qui exprimaient une préférence définitive en matière de langue.

Le Commissaire a expliqué au plaignant que la Loi sur les langues officielles n'était pas une Charte des droits de l'homme. Le but fondamental de la loi était d'établir l'anglais et le français comme langues officielles du Parlement et du gouvernement du Canada et toutes deux avaient un statut, des droits et des privilèges égaux quant à leur emploi dans toutes les institutions fédérales. Le Com-



La Loi sur les langues officielles et qu'il espérait qu'une directive bilingue lui serait promptement substituée. Quant à l'avis de concours, il a demandé des éclaircissements sur les exigences linguistiques du poste, étant donné que 80 p. 100 des employés civils de l'entrepôt de l'atelier 202 étaient francophones et que les fonctions du poste comportaient des relations avec le personnel.

Le ministre a informé le Commissaire que les directives générales seraient désormais bilingues, conformément à l'esprit de la loi et à l'intention du législateur, et que la plainte était due à une erreur regrettable.

Quelques semaines plus tard, le plaignant signalait au Commissaire que la directive n'était pas encore diffusée en français et que le concours avait été annulé parce qu'il n'était pas conforme aux directives de la Commission de la fonction publique.

Le ministre a par la suite informé le Commissaire qu'une version française de la directive en cause avait été publiée et que l'avis de concours avait été corrigé pour y inclure la connaissance du français comme exigence linguistique.

• Un francophone appartenant à une unité francophone des Forces canadiennes au Québec déclare que même s'il est bilingue, il aimerait travailler exclusivement en anglais. Il demande au Commissaire de lui expliquer quels sont ses droits linguistiques aux termes des dispositions de la Loi sur les langues officielles.

Le ministre a tardé à expliquer sa politique sur cette importante question de principe, admettant qu'il n'avait jamais étudié ce point et qu'il n'existait aucun précédent sur lequel il pût fonder sa réponse. Il a tout d'abord souligné que lorsqu'une recrue s'entraînait, elle acceptait sans condition de servir dans les Forces canadiennes, pour une période déterminée ou non, et pouvait par conséquent être appelée à servir dans différents endroits, selon les besoins du moment. Ainsi, une personne bilingue pouvait être obligée de travailler là où la langue de travail était sa langue seconde.

La politique du ministère, telle qu'elle était énoncée dans son programme de bilinguisme et de biculturalisme, cherchait à permettre à autant de francophones que possible de travailler dans leur langue maternelle, objectif qui, grâce à la création d'unités de langue française, était en voie de se réaliser. Le nombre de ces unités s'accroîtrait considérablement au cours des prochaines années, ce qui permettrait aux francophones qui le désirent de poursuivre leur carrière dans leur langue maternelle.

Le programme prévoyait que les militaires bilingues feraient tour à tour partie des unités de langue française et de langue anglaise, système particulièrement avantageux pour ceux qui désiraient accroître

vaient régulièrement consulter diverses publications techniques, comme les manuels, les barèmes, les catalogues de pièces, les directives techniques, etc., dont un bon nombre provenaient d'un fabricant ordinairement américain ou britannique. La bibliothèque de l'atelier comptait plus de 5 000 publications, dont seulement cinq étaient en français. Seul l'anglais était utilisé pour désigner des millions de pièces d'équipement et de matériaux provenant de diverses sources. Il semblait au ministère qu'il ne pouvait se soustraire aux réalités nord-américaines et que les techniciens tant dans les secteurs civils que militaires, devaient connaître un peu l'anglais. Les enquêteurs du ministère avaient découvert que, à peu d'exceptions près, les écritureaux indiquant les différentes sections de l'atelier étaient bilingues, ainsi que les affiches, règlements et autres ordonnances et directives adressées à l'ensemble des employés. Les membres du personnel pouvaient obtenir tous les services administratifs dans la langue de leur choix.

Après cette enquête, le ministère a conclu qu'à l'entrepôt de l'atelier 202, la politique ministérielle relative aux services bilingues avait été rigoureusement appliquée et que l'incident rapporté par le plaignant était un cas isolé, imputable à un planificateur suppléant habitué à travailler exclusivement en anglais, ce qui avait obligé le plaignant à rédiger en anglais des directives relatives à la planification. Toutes ces directives ont cependant été ultérieurement écrites en français.

Le ministère a expliqué que pour bien fonctionner, l'unité avait besoin de personnes bilingues au niveau des superviseurs et aux divers postes clés de l'administration. La révision complète des postes bilingues actuellement en cours au sein des Forces canadiennes devrait permettre une juste répartition de ces personnes.

Le Commissaire a recommandé de prendre toutes les mesures nécessaires pour rendre bilingues les écritureaux apposés à l'entrepôt de l'atelier 202 et pour accélérer la traduction des formules utilisées par l'unité. Il a également recommandé que, pour éviter tout mal-entendu, les représentants syndicaux de l'atelier soient régulièrement et systématiquement informés de l'application du programme de bilinguisme dans l'entrepôt.

Peu après, le plaignant a reçu une directive générale « bilingue », dont la version française était restreinte à une phrase laconique « Voir Commissaire sur un récent avis de concours restreint pour un poste de superviseur dans l'unité, pour lequel on exigeait uniquement la connaissance de l'anglais.

Le Commissaire a averti le ministère que la version française de la directive générale était loin d'être conforme aux exigences de

Le ministère a ajouté que dans l'exercice de leurs fonctions les membres du personnel, particulièrement les hommes de métier, de-  
Forces canadiennes.

que requis, en raison du manque de personnel bilingue au sein des occupés par des personnes possédant le degré de compétence linguistique des deux langues officielles, postes qui d'ailleurs n'étaient pas tous quarante postes occupés par des militaires exigeaient la connaissance proportion des militaires francophones atteignait 28 p. 100. Environ de bilinguisme du ministère, c'est-à-dire une unité dans laquelle la française mais plutôt une unité nationale dans le cadre du programme l'atelier 202, soulignant qu'il ne constituait pas une unité de langue Le ministère a décrit le rôle et la composition du personnel de appliquée dans cet atelier militaire.

Le ministère a délégué une équipe d'enquêteurs avec mission d'étudier sur place la façon dont sa politique de bilinguisme était autres employés.

redigés exclusivement en anglais. Cette lettre est signée par plusieurs et que presque tous les formulaires réservés à l'usage interne sont plupart des sections de l'unité sont identifiées uniquement en anglais matériel dans les différentes sections de l'atelier. Il souligne que la a dû écrire en anglais les directives utilisées pour la fabrication de pôt de l'atelier 202 à Montréal, fait grief au ministère de ce qu'il • Un représentant syndical de langue française, employé à l'entre-

#### *Dossiers nos 1127, 1230, 1361—Langue de travail*

quaient que les autorités avaient reconnu ce besoin.  
diffusion de la lettre du ministère et les autres mesures adoptées indiffusion de la façon dont elle devait être appliquée. Il estimait que la vaste politique de bilinguisme et de biculturalisme des Forces canadiennes démontraient la nécessité d'expliquer honnêtement et clairement la Le Commissaire a également dit aux plaignants que leurs critiques la Loi sur les langues officielles.

La Loi sur les langues officielles.  
bres des deux groupes linguistiques et appliquaient ainsi l'article 2 de les Forces canadiennes essayaient d'offrir des chances égales aux membres d'un manque de la part du ministère à ses exigences. À son avis, ne constituait pas une infraction à la Loi sur les langues officielles ni émis l'opinion que la politique de promotion à laquelle ils s'opposaient Le Commissaire a transmis ces précisions aux plaignants et a canadiennes.

Canadiens, tant de langue anglaise que de langue française, l'occasion de poursuivre une carrière, dans leur langue maternelle, au sein des Forces tère axait sa politique sur la promotion de l'unité canadienne en répon-



Dans sa réponse au Commissaire, le ministère a précisé les fondements de cette politique. Il a soutenu que le petit nombre de francophones au sein des Forces canadiennes était dû directement à l'inégalité des chances d'avancement qu'on leur offrait et à l'insuffisance des services socioculturels en français. La politique du ministère était alors basée exclusivement sur les recommandations de la Commission royale d'enquête sur le bilinguisme et le biculturalisme ainsi que sur les exigences de la Loi sur les langues officielles. Le ministère devait en outre veiller à ce que le français soit utilisé de plus en plus sur le même pied que l'anglais comme langue de travail, et que dans toutes les activités, à tous les échelons et à tous les niveaux de responsabilité, la participation des francophones soit proportionnelle à leur représentation nationale, qui était de 28 p. 100 lors du dernier recensement. Bref, le minis-

Si, pour réussir à accroître la représentation des Canadiens français, il faut dévier du principe strict du mérite, un non francophone, qui, normalement, aurait dû être promu au cours de l'année, doit être écarté. Pour protéger ce dernier, le ministère place son nom en tête de la liste pour l'année suivante et, à la première occasion, il est promu, à moins que, dans l'intervalle, le ministère n'ait des raisons valables de lui refuser cette promotion.

Plusieurs plaignants prétendent que la politique de bilinguisme et de biculturalisme adoptée par le ministère fait preuve de discrimination à l'égard des anglophones des Forces canadiennes. À l'appui de cette affirmation, ils attirent l'attention du Commissaire sur une lettre largement diffusée qui a été écrite avec l'autorisation du chef du Quartier général de la Défense pour fournir des informations sur le régime d'avancement en relation avec les objectifs de bilinguisme et de biculturalisme. Les plaignants protestent particulièrement contre les faits suivants énon-

*et de biculturalisme*

*Dossiers nos 899, 1086, 1545, 1546, 1554—Politique de bilinguisme*

Enfin, en réponse à la recommandation 13c, qui demandait l'accélération des services de traduction, le ministère a dit que les publications étaient traduites aussi rapidement que possible mais qu'il ne pouvait prévoir une date limite en raison du volume considérable de traductions.

celui des francophones dans cette unité.

s'efforçait de réduire le nombre de non-volontaires et d'accroître combat et seulement après avoir suivi les cours de français requis. Il travailler en français étaient affectés à la 43<sup>e</sup> escadille tactique de seuls les anglophones unilingues qui avaient manifesté le désir de et qu'il ne pouvait trouver de francophones qualifiés. Règle générale,

Impossible de capter une station de radio en langue anglaise). Relativement à la recommandation 13a, qui exigeait que l'af- fectation d'anglophones unilingues à la 43<sup>e</sup> escadrille tactique de combat soit fondée sur le volontariat, le ministère a répondu qu'il avait pour principe de veiller à ne pas affecter d'anglophones uni- lingues à des unités de langue française, sauf lorsqu'il y avait urgence

Quant à la recommandation 10, qui proposait la révision du permis de radiodiffusion de CKBG afin de permettre l'utilisation du français dans ses programmes, le ministère a déclaré que cette autorisation avait été accordée lors du renouvellement, en 1972, du permis de la station de radio. Toutefois, peu de francophones avaient offert leurs services à titre d'annonceurs bénévoles (la station de radio employait du personnel bilingue). Une nouvelle station de radio commerciale, de langue anglaise, avait commencé à diffuser ses programmes dans cette région et on envisageait de fermer la station de radio de CKBG (qui avait tout d'abord été ouverte parce qu'il était impossible de capter une station de radio en langue anglaise).

Le ministère a ajouté qu'il poursuivait l'examen de la recommandation 3 relative à la mise sur pied d'un service de traduction à

Les recommandations 1, 2, 4-9, 11-12b et 13b ont été appliquées ou sont en voie de l'être progressivement. Elles avaient trait respectivement : à la mise en œuvre d'un programme visant à fournir des services bilingues à la Base; à la nomination d'un conseiller en bilinguisme; à l'établissement d'un meilleur équilibre dans le nombre de volumes français et anglais disponibles à la bibliothèque; à la présentation de films en langue française; à la langue utilisée dans les contrats et les accords conclus avec des concessionnaires francophones; à la langue employée dans les documents se rapportant aux logements familiaux et aux parcs de maisons mobiles; aux cours d'anglais à l'intention des militaires; à l'usage accru du français dans le *Phare-Beacon* de Bagotville; aux publications et documents bilingues nécessaires à l'administration du personnel civil; aux publications, ordonnances, bulletins administratifs, etc. en français utilisés dans les unités comprenant des francophones; aux mesures à prendre pour que le secteur administratif compte suffisamment d'employés bilingues afin que les anglophones bénéficient de services individuels dans leur propre langue officielle; et aux services concernant le personnel de la 43<sup>e</sup> escadille tactique de combat (ETAC).

Le présent sommaire fait état de la mise en vigueur de ces recommandations.

touchant la question du bilinguisme à la Base des Forces canadiennes de Bagotville, il avait formulé certaines recommandations au ministère que celui-ci avait accueillies favorablement et qu'il surveillait de très près leur mise en vigueur.

Dans son deuxième rapport annuel (pp. 207-211), le Commissaire déclarait qu'à la suite d'une instruction sur place de plaintes

*Dossier n° 5065-52/N3—Swivi-Bagotville*

## PLAINTES

soupons chez les individus concernés. ou elles sont prises plutôt qu'après lorsqu'elles ont éveillé les pires de ses décisions au sujet de politiques importantes, au moment même laient une certaine incapacité du ministère à expliquer la raison d'être tion du législateur, il n'en a pas moins conclu que les plaintes révè- texte aucune infraction ni à l'esprit, ni à la lettre de la loi, ni à l'inten- devra être écarté. Bien que le Commissaire n'ait pu trouver dans ce du mérite, un non-francophone qui, normalement aurait été promu, de ne pas suivre exactement le tableau d'avancement dressé en fonction devenait nécessaire, pour accroître la représentation des francophones, le couvert du chef de l'état-major de la Défense, indiquant que, s'il quelques employés anglophones critiquaient une circulaire publiée sous à offrir des services plus satisfaisants aux francophones. Cependant, Cette nouvelle orientation politique a contribué dans une bonne mesure effectifs sont en voie d'être désignés comme francophones (...). » . dans les années 70, le gouvernement annonçait que « 28 p. 100 des Dans son livre blanc publié en août 1971 et intitulé *La Défense*

des forces canadiennes. par le Commissaire à telle ou telle unité soient appliquées à l'ensemble que, dans toute la mesure du possible, les recommandations adressées rôle capital dans la recherche de solutions aux plaintes en veillant à ce La Direction générale — bilinguisme et biculturalisme — joue un qu'il sera tiré un parti maximum de l'effectif bilingue disponible.

été votée. Le caractère exhaustif de ce plan donne de sérieuses garanties chef, pratiquement au moment où la Loi sur les langues officielles a s'échelonne sur quinze ans et qu'il a mis au point, de son propre complet et structuré de bilinguisme et de biculturalisme qui doit Parallèlement, ce ministère poursuit la réalisation d'un programme mandations qui ont toutes été appliquées ou sont en train de l'être. enquêtes menées à Bagotville et Trenton ont donné lieu à des recom- de la Défense nationale; 39 d'entre elles se sont révélées fondées. Les procéda à l'instruction de 60 plaintes déposées contre le ministère Entre avril 1970 et le 31 mars 1973, le bureau du Commissaire a le Bureau des traductions.

de la base. Ce service est, du reste, en nette amélioration depuis l'éta- blissement de liaisons directes entre la base, le directeur des Services de terminologie et de la traduction du Q.G. de la Défense nationale, et



services dans les deux langues officielles et également de commun-quer avec elle dans ces deux langues, la Cour avait été à l'encontre des dispositions de l'article 9 (1) de la Loi sur les langues officielles. Le Commissaire a donc recommandé que lorsqu'il était évident qu'une langue officielle prédominait dans une cause, un juge versé dans cette langue soit nommé pour présider le tribunal.

Le juge en chef a alors répondu au Commissaire que sa recommandation était étudiée avec soin.

## DEFENSE NATIONALE — « Sans tambour ni trompette »

### APPRECIATION

Le ministère de la Défense nationale reconnaît qu'il lui reste encore beaucoup à faire avant d'atteindre un bilinguisme institutionnel entier. Cependant, non seulement s'est-il attaqué à la mise en œuvre d'un programme de bilinguisme détaillé, mais encore aide-t-il le Commissaire à instruire les plaintes de façon approfondie, traitant ces dernières avec diligence et mettant autant de vigueur que d'imagination disciplinée à suivre les recommandations qui lui sont faites.

En ce qui concerne les dix recommandations issues de l'étude spéciale qui a porté sur la base des forces armées d'Uplands (Ottawa), le ministère a signalé, en octobre 1973, que cinq d'entre elles étaient intégralement appliquées, que quatre autres l'étaient partiellement et qu'une solution de rechange avait été trouvée pour observer la dernière, qui concernait la traduction à la base. Bien que le ministère n'ait pas réussi à rendre bilingue toute sa signalisation extérieure pour l'échéance du 1<sup>er</sup> septembre 1971, il a réalisé des réformes importantes au regard des dispositions de la Loi sur les langues officielles, notamment dans le domaine des services assurés au personnel et de divers aspects visuels du bilinguisme (matricules, etc.).

Au sujet des quatre recommandations partiellement appliquées, le ministère a informé le Commissaire que la signalisation et les neuf dixièmes des inscriptions figurant sur les avions seraient bilingues avant la fin de 1973. Des mesures ont en outre été prises dans le but d'améliorer la qualité des services fournis dans les deux langues au public et au personnel, tant civil que militaire. Le ministère procède, à l'heure actuelle, au recensement et à la désignation des postes civils exigeant la connaissance des deux langues officielles.

Il a par ailleurs déterminé qu'il ne serait pas possible, pour des raisons d'efficacité administrative, d'affecter à la base d'Uplands un traducteur doté d'une secrétairerie bilingue. Le service des traductions du quartier général continue donc d'assurer la traduction des textes

La Cour fédérale a répondu qu'elle porterait à l'attention des juges la recommandation du Commissaire. Elle a refusé d'effectuer la modification proposée. L'administrateur de la Cour a informé le Commissaire qu'« après une étude approfondie, il a été décidé que cette modification ne serait pas conforme aux exigences de l'article 11 (2) de la Loi sur les langues officielles ».

Finalement, le Commissaire a examiné la question des droits du public à la traduction simultanée aux termes des dispositions de l'article 9 (1) de la Loi sur les langues officielles. Il a conclu qu'il ne pouvait considérer le service dont il s'agissait comme étant un service que le public pouvait obtenir, au sens où l'entendait ledit article car, s'il en était ainsi, l'article 11 (2) n'aurait pas sa raison d'être. Il lui a d'autre part semble évident que, pour la logique du texte, l'article 11 (2) avait une finalité qui n'existerait pas si, dans de tels cas, la traduction simultanée était considérée comme un service que le public pouvait obtenir aux termes de l'article 9 (1).

#### *Dossier n° 1079—Juge unilingue*

Un francophone signale qu'un juge anglophone unilingue a présidé à l'audition d'une cause dans laquelle les défendeurs, leur avocat et leurs témoins étaient francophones. Le plaignant ajoute que bien que des services de traduction simultanée aient été utilisés, ils n'ont pas suppléé à l'absence d'un juge francophone.

La Cour fédérale a répondu que, dans la préparation de l'audition d'une cause, l'un des objectifs principaux qu'elle visait, indépendamment de ceux de la Loi sur les langues officielles, « était autant que possible de constituer le tribunal avec un juge ou des juges qui parlaient ou parlaient la langue ou les langues appropriées ». D'autres facteurs, outre la langue ou les langues que parlait le juge, devaient toutefois entrer en ligne de compte lors de la préparation de l'audition.

« Dans tous les cas particuliers », de continuer la Cour fédérale, « le juge en chef intéressé prend les meilleures mesures possibles, compte tenu des exigences de la situation — il doit, entre autres choses, considérer le degré de connaissance de la langue ou des langues appropriées que possède le juge disponible, de la date que les parties préfèrent pour l'audition et du délai qu'entraînerait le fait d'attendre qu'un juge connaissant mieux l'une des langues puisse présider à l'audition. »

Le Commissaire était d'avis que dans ce cas, étant donné que les parties à des procédures judiciaires appartenaient au public de cette Cour et, à ce titre, avaient droit d'obtenir de la Cour des

Le ministre a informé le Commissaire que certains postes de la nouvelle direction allaient être identifiés bilingues, conformément aux dernières directives du Conseil du trésor. Le ministre se proposait d'augmenter les effectifs bilingues de la Direction en recourant aux cours de langue et au recrutement de personnel francophone.

## COUR FÉDÉRALE DU CANADA

### PLAINTES

*Dossier n° 1027—Traduction simultanée*

Un journaliste anglophone, présent à l'audience d'une cause instruite en français devant la Cour fédérale, souligne que l'absence de traduction simultanée constitue en fait un déni de son droit à l'information, à titre de représentant du public.

Avant l'entrée en vigueur de la Loi sur les langues officielles, la Cour fédérale (appelée la Cour de l'Échiquier jusqu'en décembre 1970) fonctionnait comme tribunal bilingue selon les dispositions de l'article 133 de l'Acte de l'Amérique du Nord britannique, 1867. La Cour faisait en sorte, dans la mesure du possible, que l'une ou l'autre des deux langues officielles puisse être employée par qui-conque participait à ses délibérations. En général, dans les causes où il fallait employer les deux langues, ce besoin était satisfait grâce à la présence de juges et d'avocats bilingues.

La faiblesse évidente de ce système consistait en ce qu'une partie à un procès, qui ne comprenait qu'une seule des deux langues officielles, n'était pas en mesure de comprendre les témoins qui s'exprimaient dans l'autre langue officielle.

L'article 11 (2) de la Loi sur les langues officielles remédiait aux difficultés éprouvées par les unilingues en assurant la traduction simultanée des plaidoiries.

La règle 356 de la Cour prévoyait une procédure visant à offrir dans des cas particuliers des services de traduction simultanée. Cette règle semblait exiger que la partie requérant des services de traduction simultanée devait prouver à la Cour que leur absence pouvait la défavoriser.

Le Commissaire était d'avis que l'article 11 (2) de la Loi sur les langues officielles stipulait que la Cour avait l'obligation d'assurer de tels services à moins d'établir que la partie ne serait pas défavorisée. En conséquence, il a recommandé que la règle 356 soit modifiée pour la rendre plus conforme à l'article pertinent de la loi.



Le ministère a informé le Commissaire que le Bureau régional des Prairies à Winnipeg avait émis le 19 avril 1973 une directive à l'intention de tous les surveillants de Regina leur demandant de s'assurer que les employés unilingues soient au courant du protocole des réponses à donner aux demandes faites en français. Il a assuré le Commissaire que désormais ces demandes seraient acheminées vers les préposés bilingues en place. De plus, un panneau bilingue de renseignements devait bientôt être érigé à l'entrée de l'immeuble pour informer le public. Enfin, le ministère continuait d'encourager ses employés de Regina à suivre des cours de langue.

#### *Dossier n° 1302—Allegation*

Le plaignant rapporte qu'il a été témoin d'une querelle survenue en fin d'après-midi entre un commissionnaire unilingue anglophone et une francophone qui, semblait-il, regagnait son bureau au ministère à Ottawa. Il déclare que le commissionnaire a été impoli envers cette femme qui ne comprenait pas très bien l'anglais. Le plaignant, qui parlait un peu le français, a voulu servir d'interprète, mais le commissionnaire est demeuré belliqueux.

Le ministère a informé le Commissaire que la plainte était justifiée. Cette querelle faisait suite à une série d'incidents survenus le même après-midi alors que le commissionnaire était en état d'ébriété. Ce dernier a été par la suite congédié par le Corps canadien des commissionnaires.

#### *Dossier n° 1690—Présence à l'anglais*

Un plaignant signale que dans une publication française du ministère, on trouve en vignette le symbole fédéral avec le nom du ministère dans les deux langues officielles, mais que la présence est accordée à l'anglais.

Les organismes fédéraux impriment, conformément au programme de diffusion du symbole fédéral, une telle vignette sur tous les documents officiels afin de souligner le caractère bilingue des services fédéraux. Le Commissaire était d'avis que, loin d'être en contradiction avec la loi, cette politique respectait l'égalité de statut des deux langues officielles.

#### *Dossier n° 1718—Postes bilingues*

Le plaignant prétend qu'au cours de la réorganisation de la Direction des normes, il n'a pas été tenu compte de la nécessité de servir le public dans les deux langues officielles.

Le Commissaire a été d'avis que la procédure adoptée par le Bureau des brevets était conforme à la Loi sur les langues officielles.

*Dossier n° 1047—Sudbury*

Des francophones font grief au ministre de n'avoir pu obtenir de services en français à son bureau régional de Sudbury et d'avoir été insultés par une préposée qui ne reconnaissait pas leur droit de s'adresser au gouvernement fédéral dans la langue officielle de leur choix.

Le ministre a répondu que la personne responsable de l'incident, n'ayant pu s'adapter aux conditions de travail du bureau en question, avait quitté son emploi et qu'une personne bilingue avait été recrutée pour remplir ce poste. Le ministre a vivement regretté cet incident et a prié le Commissaire de transmettre ses excuses aux plaignants.

*Dossier n° 1067—Regina*

Un francophone n'a pu obtenir de services en français au bureau régional de Regina.

Le ministre a répondu qu'à son avis la demande n'était pas suffisante pour des services en français à ce bureau qui n'est pas situé dans un district bilingue proposé. Il a ajouté qu'un des vingt-huit employés était bilingue et que des services en français auraient pu être fournis s'il avait été là au moment où s'est présenté le plaignant. Le ministre a précisé qu'il avait à cœur d'offrir les meilleurs services possibles au public mais ne voulait pas anticiper une décision du gouvernement concernant les districts bilingues.

Le Commissaire a été d'avis que le ministre devrait se livrer à une évaluation plus pragmatique de la demande en offrant au moins un embryon de services bilingues puisqu'on ne saurait parler de demande de services qu'en fonction de leur disponibilité. Il a donc recommandé que :

1) le bureau reconnaisse que le fait de parler français constitue une demande implicite pour l'obtention de services dans cette langue et que les employés répondent par une formule courtoise telle que « Un instant s'il vous plaît » et aillent chercher le préposé bilingue;

2) les affiches et enseignes destinées à l'information du public soient bilingues;

3) le ministre offre à ses employés appelés à servir le public la possibilité de suivre des cours de langue.

Un inventeur montrealais, détenteur d'un brevet américain, désire obtenir son brevet canadien rédigé en langue française. Il se plaint que le Bureau des brevets et du droit d'auteur refuse de traduire en français le mémoire descriptif qu'il a soumis en anglais.

Selon les règlements, le demandeur d'un brevet d'invention doit joindre à sa demande de brevet un mémoire entièrement rédigé en anglais ou en français. Ainsi l'inventeur peut décrire son invention dans la langue officielle de son choix. Une fois accordé, le brevet d'invention est publié dans la Gazette du bureau des Brevets dans la langue dans laquelle la demande a été soumise. Le certificat de brevet est ensuite délivré à l'inventeur dans cette même langue.

### *Dossier n° 1013—Brevets*

## PLAINTES

En plus d'avoir recours aux moyens de formation du Bureau des langues de la Commission de la fonction publique et des autres écoles reconnues, le ministère a mis sur pied un programme de formation « interne » à l'intention de « personnes clés ne pouvant s'absenter de leur lieu de travail pendant une période de temps prolongée ». De plus, des cours abrégés et simples ont été élaborés pour les réceptionnistes et les secrétaires « dans le but de leur permettre de répondre à des questions simples en français ». D'autre part, le ministère a établi un service de révision des textes français afin d'encourager un plus large usage du français par ses employés. La qualité des communications écrites s'améliorerait par suite des cours de rédaction administrative en anglais et en français donnés aux employés. Les services de moniteurs ont été retenus afin d'aider les employés à conserver ou accroître leurs connaissances de la deuxième langue. Enfin, le ministère affirme qu'il accorde son recrutement de francophones « dans la mesure du possible ».

A titre d'exemple de l'usage égal du français et de l'anglais dans son activité interne, le ministère a cité les manuels existants que l'on traduit et les nouveaux manuels publiés simultanément dans les deux langues officielles. Tous les cours de perfectionnement, sauf un, seraient donnés en anglais et en français. Quant aux sept unités de langue française, trois sont au Québec et quatre à Ottawa. Le ministère a l'intention de passer en revue les réalisations ainsi que l'organisation de toutes ces unités et se propose d'étudier la possibilité d'en établir de nouvelles en 1974.

de la Gazette du Bureau des brevets et du Journal des Marques de Commerce.



## APPRECIATION

Des dix plaintes mettant en cause le ministère, deux nécessitaient des recommandations. La première plainte concernait la correspondance échangée avec un francophone et la deuxième faisait ressortir l'absence de services bilingues à Regina. Le ministère a réagi de façon positive dans les deux cas.

Parmi les différentes mesures prises, la déclaration de principes destinée aux employés, plaquette d'une présentation agréable, et le cours spécial de langue à l'intention des secrétaires et des réceptionnistes mettent en évidence l'attitude constructive qui inspire ces initiatives.

Le ministère a indiqué au Commissaire que, par suite de sa politique commerciale, il avait commencé en 1968 à utiliser l'anglais et le français dans ses rapports avec le public. A l'entrée en vigueur de la Loi sur les langues officielles, il a intensifié ses efforts en vue d'une utilisation égale du français et de l'anglais. Janvier 1972 a vu la publication d'une brochure sur le bilinguisme intitulée « Oui-Yes », document qui sera vraisemblablement modifié au début de 1974 afin de cadrer avec les directives du Conseil du trésor du 29 juin 1973.

Comme beaucoup d'autres organismes fédéraux, le ministère a procédé durant le mois de novembre 1973 à la définition des exigences linguistiques des postes. Son intention est d'utiliser également, dans le cours normal de ses activités, les deux langues officielles, que ce soit au sein de son administration ou dans ses rapports avec le public. Malgré les progrès réalisés, il reconnaît « qu'il reste beaucoup à faire », mais compte néanmoins atteindre son double objectif en 1977.

D'après le ministère, l'exécution du programme des langues officielles a été confiée au directeur du personnel, qui œuvre au siège et, bien qu'il n'y ait pas eu délégation de responsabilités au bénéfice des services régionaux, le travail se fait en collaboration avec le sous-ministre adjoint responsable du Service des opérations extérieures.

« Une surveillance étroite est exercée » sur le progrès des services locaux vers les objectifs du ministère en matière de bilinguisme et ce dernier envoie ses fonctionnaires effectuer des visites de contrôle aléatoires sur place. Un comité de direction est chargé, ajoute le ministère, d'évaluer et de passer en revue annuellement le programme d'application.

Le ministère signale que la presque totalité des affiches et des avis sont bilingues et qu'il procède au remplacement des panneaux unilingues qui restent. De plus, dit-il, les formules et autres imprimés sont publiés dans les deux langues officielles. Enfin, on a entrepris (à compter de novembre 1973) la publication en anglais et en français

communiquer individuellement avec ses employés.

A la suite de cette recommandation, le Conseil a décidé de linguistiques de ceux qui n'auraient pas répondu au questionnaire. Il a donc suggéré au Conseil de déterminer autrement les préférences. leur langue des services offerts automatiquement aux anglophones. obligeait les francophones à remplir le formulaire pour obtenir dans

Le Commissaire, pour sa part, était d'avis que cette directive ferait chaque employé afin de lui offrir des services dans sa langue. Il avait tout simplement voulu préciser la langue officielle que pré-atteinte à l'esprit ou à la lettre de la Loi sur les langues officielles. Le Conseil a répondu qu'il n'avait pas l'intention de porter dans les institutions fédérales.

droits et des privilèges des deux langues officielles quant à leur emploi sont d'avis qu'une telle action ne respecte pas l'égalité de statut, des talons de chèques et sa correspondance en anglais ». Les plaignants que l'individu qui ne retourne pas le formulaire désire recevoir des Cette directive porte la mention suivante: « Il sera pris pour acquis un questionnaire destinée à déterminer la langue officielle des employés. Deux francophones se plaignent d'une directive qui accompagnait

#### *Dossiers nos 1563, 1564—Communications internes*

Conseil a corrigé les inscriptions.

que des inscriptions anglaises. Voulaient se conformer à la loi, le que quelques véhicules achetés avant septembre 1968 ne portaient Le Conseil a reconnu le bien-fondé de la plainte et a ajouté inscriptions unilingues anglaises.

Un francophone se plaint qu'une camionnette du Conseil porte des

#### *Dossier no 1311—Inscriptions sur une camionnette*

loi.

de faire tout en son pouvoir pour se conformer aux exigences de la de textes. Le Conseil a accepté cette recommandation et a promis destiné au public et de faire rédiger en français un nombre raisonnable publier simultanément dans les deux langues officielles tout document infraction à la loi. C'est pourquoi il a recommandé au C.N.R. de entre les versions anglaise et française du Digeste constituait une Pour sa part, le Commissaire a estimé qu'un écart de parution répondant aux exigences de ce travail très spécialisé.

pris des mesures visant à recruter un plus grand nombre de personnes ses efforts pour améliorer la situation et qu'il avait, en particulier, conséquence quelque peu ralentie, mais il a signalé qu'il poursuivait C.N.R. a reconnu que la traduction des numéros antérieurs serait en

Les deux langues officielles ont, selon l'organismisme, un statut égal « en rapport avec les besoins connus et recensés » de nature publique et interne. Le Conseil, cependant, n'a pas prétendu que son bilinguisme institutionnel était suffisant.

Le Conseil, sont bilingues. La traduction des « Règlements administratifs — définitions et applications » serait achevée en avril 1974. Le Conseil affirme qu'il encourage ses employés à suivre des cours de langue et qu'il rembourse en totalité ou en partie les frais de cours de langue particuliers qu'il a approuvés.

Le Conseil a fait remarquer que le service est assuré, depuis quelque temps déjà, dans les deux langues. Les affiches, les formules et autres articles qui véhiculent une information de nature générale sont bilingues ou en voie de l'être.

Le Conseil estime ne pas avoir éprouvé de sérieuses difficultés à promouvoir le bilinguisme au sein de son personnel, mais prétend qu'il a été frustré, en raison de l'inélasticité de l'offre, dans ses efforts de recrutement d'un nombre important de scientifiques et d'ingénieurs francophones. Pour sa part, le Commissaire, avec une naïveté évan-gélique, dit : « Cherchez et vous trouverez ».

## PLAINTES

*Dossier n° 956—Publications*

Le plaignant s'oppose à la lenteur excessive que met le Conseil à traduire des documents en français. Pour illustrer le problème, il envoie un feuillet intitulé « Digeste de la Construction » publié mensuellement. Il trouve regrettable que cette publication en soit à son 143<sup>e</sup> numéro en anglais alors que le 100<sup>e</sup> numéro français vient seulement de paraître. Au moment de la plainte, cet écart représentait un retard de plus de trois ans et demi.

Le Conseil a informé le Commissaire que plusieurs événements s'étaient conjugués au début de 1969 pour diminuer les moyens de traduction technique dont disposait alors la Division des recherches sur le bâtiment. Malgré les efforts déployés, la traduction des digestes avait été retardée. Finalement, en 1971, pour obvier à cette difficulté croissante, tout en s'assurant des traductions techniquement valables, le C.N.R. avait décidé de recourir sur une base contractuelle aux services d'une société de Montréal.

A la suite d'une recommandation du Commissaire, le Conseil a adopté un nouvel ordre de priorité selon lequel le numéro le plus récent du Digeste passerait avant les numéros en souffrance. Le



resser à l'économie de leur pays quand de tels documents de base n'existent pas dans leur langue.

Le Conseil a souligné qu'Information Canada diffusait toutes les publications du Conseil dans les deux langues officielles. Toutefois, il a expliqué que, depuis 1963, seulement onze études sur un total de cent onze n'avaient pas été traduites en français en raison de leur teneur technique et de la difficulté de les faire traduire dans un laps de temps raisonnable.

Les études mentionnées par le plaignant étaient tirées à la polycopie dans la langue de l'auteur et étaient considérées comme des documents de travail.

CONSEIL NATIONAL DE RECHERCHES DU CANADA — « La sorcellerie à travers les âges »

## APPRECIATION

Depuis 1970, le Conseil national de recherches a fait l'objet de onze plaintes, dont une seule a nécessité une recommandation de la part du Commissaire. La plupart des plaintes étaient fondées et le Conseil a pris les mesures nécessaires pour corriger les infractions. Les principales plaintes portaient sur la traduction des publications spécialisées et autres documents. Tout en reconnaissant que le Conseil a fait preuve d'une évidente bonne volonté pour améliorer la situation dans ce domaine, le Commissaire doit signaler que ces traductions n'ont pas toujours été effectuées aussi rapidement qu'il eût été souhaitable.

Selon le Conseil, les objectifs de son programme de bilinguisme sont « en bonne voie d'être atteints ». Conscient de la précision des scientifiques, le Commissaire veut bien donner raison au Conseil et il espère que le temps confirmera l'optimisme de ce dernier.

Dans sa réponse au questionnaire, le Conseil a indiqué que l'application de la Loi sur les langues officielles au sein du C.N.R. a été confiée au conseiller en bilinguisme. Ce dernier relève du vice-président (Laboratoires). Le C.N.R. recueille périodiquement des données statistiques sur les connaissances linguistiques de ses employés. Ces statistiques, au dire de l'agence, révèlent une progression constante. Quant aux délais prévus pour réaliser son programme de bilinguisme, le Conseil a répondu qu'il ne le considérerait pas comme un programme circonscrit dans le temps, mais plutôt comme un processus continu au cours duquel les différentes étapes sont abordées selon leur ordre de priorité.

Un francophone de Toronto s'étonne du fait que certaines études du Conseil citées dans son rapport annuel ne soient pas disponibles en français. Il se demande comment les francophones peuvent s'inté-

*Dossier n° 1774—Documents en anglais*

## PLAINTÉ

## CONSEIL ÉCONOMIQUE DU CANADA

Le Conseil a informé le Commissaire qu'afin d'éviter tout malentendu de ce genre, des instructions avaient été données pour que les messages enregistrés soient bilingues.

Un francophone téléphonique à la direction de la planification, En guise de réponse, il reçoit un message enregistré en anglais seulement lui demandant de laisser son numéro afin qu'on puisse le rappeler.

*Dossier n° 1657—Téléphone*

Le Commissaire estimait toutefois que la mise en application de certains des principes pourrait contrevenir aux dispositions et à l'esprit de la Loi sur les langues officielles ainsi qu'à l'intention du législateur. Tout en espérant que les principes dans leur application ne comporteraient aucune infraction à l'une quelconque des dispositions de la loi, le Commissaire a rappelé au secrétaire du Conseil du trésor qu'il lui incomrait, aux termes de l'article 25 de la loi, d'instruire toute plainte signalant une violation de la loi.

Le Commissaire a porté cette plainte à la connaissance du secrétaire du Conseil du trésor. Celui-ci a répondu qu'à son avis, les questions soulevées « ne semblaient pas mettre directement en cause la Loi sur les langues officielles ni avoir de rapport direct avec ses dispositions ».

Le Commissaire a porté cette plainte à la connaissance du secrétaire du Conseil du trésor. Celui-ci a répondu qu'à son avis, les questions soulevées « ne semblaient pas mettre directement en cause la Loi sur les langues officielles ni avoir de rapport direct avec ses dispositions ».

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vous être de quelque service, je demeure à votre entière disposition. Je vous prie d'agréer, Monsieur le Commissaire, mes salutations dévouées et distinguées.

G. F. OSBALDESTON

## PLAINTES

### *Dossier n° 675—Discrimination*

Un fonctionnaire francophone du Conseil fait part au Commissaire des difficultés qu'il éprouve dans son milieu de travail. Il déclare avoir été victime de discrimination raciale. Ses supérieurs hiérarchiques auraient en effet soumis des rapports d'appréciation peu objectifs à son sujet pour le priver d'un poste dont il exerçait de facto les fonctions. Ce poste aurait ensuite été offert à un anglophone unilingue alors que le titulaire devait servir un public en partie francophone.

Après avoir examiné la plainte, le Commissaire a dû conclure que la discrimination en question semblait être d'ordre ethnique plutôt que linguistique et ne constituait donc pas une contravention à la Loi sur les langues officielles. Le Commissaire a invité le plaignant à porter son cas à la connaissance de la Direction des appels de la Commission de la fonction publique.

Pour ce qui est de la nomination d'un unilingue anglais au poste en cause, le Commissaire a informé le plaignant qu'il était disposé à étudier cet aspect de la plainte si le plaignant l'autorisait à le faire. Le plaignant n'a pas autorisé le Commissaire à poursuivre cette affaire.

### *Dossier n° 955—Communications internes*

Un employé du Conseil se plaint de ce que la liste des directeurs du personnel des différents ministères est rédigée en anglais seulement. Le Conseil a émis l'opinion que les documents de cette nature ne devaient pas nécessairement être publiés dans les deux langues officielles, puisque leur distribution était limitée à quelques fonctionnaires du Conseil. Il a toutefois accepté la recommandation du Commissaire qui l'invitait à publier cette liste dans les deux langues officielles.

### *Dossier n° 1652—Politique de bilinguisme*

Un francophone désapprouve la politique gouvernementale sur le bilinguisme dans la fonction publique, formulée dans les neuf



La politique du gouvernement visant à assurer l'égalité de statut des langues officielles comme langues de travail est éminemment claire. J'ai déjà parlé de quelques-unes des mesures qui doivent être prises pour être respecter l'échéance de 1978 arrêtée par le gouvernement. Je suis, du reste, persuadé que beaucoup peut être accompli pour atteindre cet objectif avant la date limite. Toutefois, étant donné la « charge » prévue pour les cours de langue, il serait illusoire de croire que l'on puisse atteindre une capacité de surveillance bilingue avant cette date.

Recommandation 16

Toutes les directives et circulaires du Conseil du trésor seront soumises à un examen qui permettra de déterminer quelles clauses précises relatives aux exigences de la Loi sur les langues officielles il convient d'y incorporer.

Recommandation 17

La dotation du Groupe de l'information de la Direction des langues officielles a récemment été portée à sept années-hommes; des crédits suffisants ont en outre été alloués à cette division. Parmi ses projets en cours, j'en mentionne un qui est tout à fait remarquable. Il s'agit de la préparation d'un vade-mecum du fonctionnaire et d'une brochure à l'intention du grand public, de séances d'information et de formation, de séminaires, de « trousseaux » documentaires, de présentations audio-visuelles (y compris des films) et de contacts avec des organismes publics et privés. Ce Groupe est en outre chargé de coordonner les divers programmes d'information des ministères concernant la mise en œuvre des directives du Conseil du trésor.

Recommandation 18

Ainsi que cela a déjà été établi, la Direction des langues officielles a été chargée—et, du reste, se charge d'ores et déjà—de contrôler en permanence et d'évaluer les procédures de mise en œuvre des directives du Conseil du trésor relatives aux exigences linguistiques des postes. À cette fonction viendront s'en ajouter d'autres, qui feront porter ses activités sur l'ensemble des politiques et programmes linguistiques.

Recommandation 19

Ainsi que le laissent entendre mes réponses aux commentaires sur les recommandations 2(b) et 9, les recommandations que vous adressez aux divers ministères seront étudiées en détail, et une procédure de contrôle continu sera instaurée pour vérifier qu'il leur est donné suite et garantir le respect de la Loi sur les langues officielles. En espérant que ces commentaires se révéleront utiles à la préparation de votre rapport annuel et en vous signalant qu'au cas où je pourrais encore

*Recommandation 8*

Dans le cadre des procédures administratives donnant effet aux dits principes, les postes affectés au service du public bénéficieront d'une priorité absolue en matière de désignation. Qui plus est, jusqu'à ce que leurs titulaires soient bilingues, chaque ministère est tenu de prendre toutes mesures appropriées pour garantir le respect immédiat de la loi.

*Recommandation 9*

Ainsi que je l'ai déjà confirmé, la Division des opérations de la Direction des langues officielles exercera une surveillance continue sur la manière dont les ministères tiennent compte de vos recommandations et prendra toute mesure utile pour garantir le respect de la loi.

*Recommandation 10*

Les différents ministères procèdent à l'heure actuelle à un recensement des exigences linguistiques de quelque 250 000 postes de la fonction publique, tant « bilingues », que « anglais essentiel », « français essentiel » et ceux « où le français ou bien l'anglais peut être utilisé ». Le 31 décembre 1973, cette entreprise sera achevée. Les renseignements requis seront disponibles en 1974.

*Recommandation 11*

Les mesures nécessaires ont déjà été prises et sont énoncées dans la circulaire 1973-88 du Conseil du trésor, relative aux exigences linguistiques des postes.

*Recommandation 12*

Les modalités d'une mise en œuvre de cette recommandation figurent déjà dans la circulaire 1973-88 du Conseil du trésor. La « performance » des ministères dans ce domaine sera soumise à un contrôle.

*Recommandation 13*

Ainsi que je le signalais dans ma réponse à la recommandation 1(b), ces secteurs doivent être réexaminés à la lumière du rapport du Conseil consultatif des districts bilingues et de la suite qu'y donnera le gouvernement. Toutes mesures appropriées seront ensuite prises par le Secrétariat du Conseil du trésor.

*Recommandation 14*

Cet aspect de la question fait partie intégrante de la ligne politique actuellement en cours de définition par les ministères ayant des bureaux à l'étranger.

C'est à la Division de la planification et de l'évaluation qu'il incombe de juger des progrès enregistrés et, s'il y a lieu, de proposer au Conseil du trésor les mesures et orientations « correctives » qui s'imposent pour que soient respectés la loi et les politiques et programmes gouvernementaux concernant les langues officielles.

#### *Recommandations 3, 4 et 5*

1. Les directives et circulaires du Conseil relatives aux langues officielles sont constamment revues de façon à assurer leur compatibilité et leur mise à jour.

2. Des dispositions ont déjà été prises, en collaboration avec les ministères ayant des bureaux à l'étranger, afin d'assurer une représentation véritable du Canada dans ces pays et la prestation de services dans les deux langues officielles. Le projet de directive devant donner effet à cette recommandation fait actuellement l'objet d'échanges de vue avec les ministères intéressés.

3. La diffusion, dans les deux langues, de documents hautement spécialisés (les rapports techniques, par exemple) est un problème complexe. Seul un groupe linguistique lit bon nombre d'entre eux; il arrive que les délais imposés par la traduction (sans parler des problèmes terminologiques) retardent considérablement la publication des résultats d'importantes recherches techniques, comme celles qui sont confiées aux ministères à vocation scientifique. Il faudra examiner cette question à la lumière des exigences de la Loi sur les langues officielles, sans oublier de tenir compte des facteurs « demande importante » et « possibilité ».

4. Une fois ce problème circonscrit, le Conseil du trésor devra approuver un train de mesures appropriées comportant des échéances bien définies. Nous comptons solliciter l'aide de votre Bureau avant de soumettre nos recommandations aux ministères.

#### *Recommandation 6*

Tel qu'indiqué antérieurement, des mesures précises sont actuellement prises pour permettre le contrôle de tout ce qui a trait à l'application de la Loi sur les langues officielles et l'observation des principes et programmes gouvernementaux dans ce domaine. Ainsi qu'il a été convenu, les résultats de ce contrôle sont à la disposition de votre Bureau.

#### *Recommandation 7*

Tout comme la déclaration du Président du Conseil du trésor en date du 14 décembre 1972 avait pour but d'assurer, d'une part, la prestation, dans les deux langues officielles, des services que fournit au public l'administration fédérale, et, d'autre part, que les agents de l'Etat aient, en règle générale, la possibilité de travailler dans la langue de leur choix, les principes adoptés par le Parlement entendent promouvoir et assurer l'application de la loi, à l'avenir en général, et d'ici à 1978 en particulier.



Assortie des mesures décrites, la création de la Direction des langues officielles devrait aboutir à des résultats en tous points conformes à ceux qu'envisage cette recommandation.

#### *Recommandation 2(d)*

Ainsi que je vous le signalais plus tôt, la création de la Direction des langues officielles en avril 1973 et l'augmentation de ses cadres à quarante-sept années-homme annule la portée de cette recommandation. Au chapitre de personnel, on peut d'ailleurs s'attendre à une nouvelle croissance.

#### *Recommandation 2(c)*

Nous endossons cette recommandation. Nos services continueront, parallèlement à leurs activités propres, à s'en remettre largement à votre Bureau pour tous renseignements concernant des questions qui à votre avis ne se conformeraient pas à la loi.

#### *Recommandation 2(b)*

Mais les activités présentes et futures du Conseil du trésor ne se limitent pas aux seuls postes « bilingues » et aux unités de langue française; la liste ci-après, qui en énumère quelques-unes, le montre bien. Son action englobe toutes questions relatives à la langue et aux instruments de travail, la disponibilité de cours de formation professionnelle et de préparation à la gestion en français et la constitution d'une « force » de recrutement francophone, l'aménagement de structures administratives à l'intérieur des ministères chargés de l'application de la loi et des politiques et programmes de langues officielles, le renforcement du caractère bilingue de la région de la capitale nationale, l'étude des problèmes relatifs à la traduction et à la terminologie, l'enseignement des langues et la question du maintien de l'accès, l'examen de toutes les études portant sur des questions touchant aux langues officielles, les rapports avec les secteurs public et privé pour tout ce qui a trait à ces mêmes questions, la collecte de données statistiques sur les langues officielles et la mise au point de systèmes informatiques. De plus, le Secrétariat s'intéresse, en collaboration étroite avec la Commission de la fonction publique, à la question du recrutement, et en particulier à celui de l'embauche de personnel francophone.

#### *Recommandation 2(a)*

4. Signalons aussi les travaux de création d'emblèmes et de logotypes normalisés se poursuivant à l'heure actuelle dans le cadre du programme de diffusion du symbole fédéral.

Aspects de la question linguistique (celui des instruments de travail, pour en nommer un seul), seront mises au point.

leur seront fournis dans les deux langues officielles. Tel n'est pas le cas présentement et dans le courant de 1974, des directives concernant la langue de travail dans la fonction publique, ainsi du reste que divers autres aspects de la question linguistique (celui des instruments de travail, pour en nommer un seul), seront mises au point.

que nous devons porter aux nombreux problèmes administratifs qui découlent de la loi et des politiques et programmes linguistiques du gouvernement.

Si vous le voulez bien, j'aimerais maintenant vous faire part des suites que nous avons données, ou donnerons bientôt, à vos recommandations.

#### *Recommandation 1(a)*

Suite à cette recommandation, les mesures suivantes ont été ou doivent être prises :

1. Partout au Canada, les postes de tous les organismes fédéraux sont en voie de désignation, afin que là où la demande est importante, les services puissent être fournis au public dans les deux langues.

2. Il existe, en certains endroits du Canada, des concentrations de population de langue française ou de langue anglaise. Dans toutes ces régions, les services n'étaient souvent fournis qu'en une seule langue officielle. À l'avenir, ils le seront dans les deux langues officielles, afin que, si c'est chose faisable, on puisse évaluer si la demande latente justifie la prestation des dits services en français et en anglais.

3. Il sera demandé aux divers ministères de faire en sorte que, dans les bureaux où la population est en rapport avec l'administration fédérale, que ce soit au Canada ou à l'étranger, la signalisation, l'affichage et autres modes de communication soient dans les deux langues. Dans tous les cas impliquant soit une demande importante, soit des voyageurs, le public sera dirigé, dans la langue de son choix, vers le ou les employé(s) capable(s) de donner des renseignements dans les deux langues. Signalons au passage que cette pratique existe déjà dans la plupart des institutions en question, au Canada et à l'étranger. Le Secrétariat du Conseil du trésor exercera un contrôle des activités des ministères en ce domaine tout en continuant, bien entendu, d'œuvrer, en étroite collaboration avec votre Bureau et les diverses administrations concernées, au respect de l'esprit de la loi et de l'intention du législateur.

#### *Recommandation 1(b)*

1. Le gouvernement a décidé de reconnaître des entités géographiques bilingues et de définir des situations où un fonctionnaire peut travailler dans ces deux langues. Il est prévu de procéder à un examen du découpage de ces régions à l'issue des travaux du Comité consultatif des districts bilingues, afin de déterminer si une révision s'impose.

2. Il faudra, afin de permettre à tout fonctionnaire de travailler en français ou en anglais dans ces régions « bilingues », que les postes de surveillance soient identifiés comme bilingues. Ce sera chose faite le 31 décembre 1973. D'ici à la fin de 1978, tout titulaire unilingue d'un tel poste pourra suivre, aux frais de l'État, des cours de langue pendant une période pouvant aller jusqu'à douze mois. L'égalité des occasions d'emploi de chacune des langues officielles comme langue de travail à part entière sera progressivement consacrée d'ici à 1978.

3. Les fonctionnaires ne seront en mesure de travailler dans la langue de leur choix que pour autant que les instruments de travail (manuels, codes de procédure, directives administratives, signalisation, imprimés d'ordinateur,

Le 15 octobre 1973, le Commissaire envoyait les résultats de l'étude ainsi que ses recommandations au Secrétaire du Conseil du trésor. Ce dernier, dans une lettre datée du 28 novembre 1973, commentait chacune des 19 recommandations. En raison de l'importance du rôle joué par cet organisme dans le domaine des langues officielles et aussi pour lui permettre de faire état des développements survenus depuis le moment de l'étude, le Commissaire a décidé de reproduire ci-dessous, *in extenso*, le texte de cette lettre. Ce geste n'équivaut pas à un entièrement pur et simple des explications fournies par le Secrétaire : le Commissaire se réserve le droit d'évaluer celles-ci à la lumière du travail de suivi que ses collaborateurs accomplissent régulièrement.

Monsieur le Commissaire,

Permettez-moi de vous remercier de votre lettre du 15 octobre dernier, à laquelle vous joigniez le rapport et les recommandations faisant suite à votre étude de février et mars 1973 portant sur le Secréariat du Conseil du trésor et sur les mesures prises ou envisagées par ladite institution pour promouvoir l'application de la Loi sur les langues officielles au sein de la fonction publique.

Qu'il me soit tout d'abord permis de vous signaler que je me félicite de connaître votre point de vue sur la façon dont le Secréariat du Conseil du trésor pourrait plus efficacement contribuer à une application cohérente de la loi. J'ajouterais que je suis tout particulièrement satisfait de constater que vous approuvez les dispositions qui ont été prises ou le seront dans un avenir très proche, afin que tout Canadien, client ou employé de la fonction publique, puisse utiliser la langue officielle de son choix.

Vous n'êtes pas sans ignorer que l'époque à laquelle vous avez décidé d'entreprendre l'étude du Secréariat du Conseil du trésor correspondait à une période d'activité intense au sein de cette institution, marquée par la mise en place de structures devant permettre au Conseil de s'acquitter de ses responsabilités en matière de langues officielles. Une ébauche des lignes directrices du Conseil du trésor relatives aux exigences linguistiques des postes avait été distribuée au début de janvier 1973 et faisait l'objet de discussions intenses et fructueuses avec les ministères et les représentants syndicaux. Le Conseil national mixte, où siègent des représentants du gouvernement et des employés, devait les approuver officiellement en mars. Le 1<sup>er</sup> avril 1973, le Président du Conseil du trésor entérinait la création de la Direction des langues officielles, qui m'est directement comptable. Toutes choses qui abondent dans le sens des recommandations que vous me faisiez parvenir en octobre. Ajoutons que, depuis avril, les cadres de cette Direction ont plus que doublé.

Si je vous situe ce contexte, c'est afin de mieux vous faire comprendre que le Président du Conseil du trésor a clairement l'intention de faire en sorte que le Secréariat du Conseil est réellement à même de jouer un rôle actif et constructif dans l'application réelle de la loi au sein de la fonction publique. Il va sans dire que cette action ne diminue en rien l'attention



(19) dans le but d'aider le travail de suivi du Commissaire, de contrôler, dans les institutions fédérales sur lesquelles il a autorité, l'application des recommandations formulées par le Commissaire aux langues officielles à la suite d'une étude spéciale ou de l'instruction d'une plainte et de fournir au Commissaire sur demande les résultats de ce contrôle.

(18) de contrôler, à titre d'employeur et de gestionnaire, l'application des mesures qu'il fait prendre par les institutions fédérales concernées et qui ont, d'une façon ou d'une autre, une portée sur l'emploi des deux langues officielles aussi bien au niveau de la langue de service qu'à celui de la langue de travail;

#### *Contrôle et évaluation*

(17) d'accentuer son activité en matière d'information dans le domaine des langues officielles en tenant compte de la nécessité qu'il y a d'informer la population et, plus particulièrement, les fonctionnaires fédéraux de tous les aspects qui se rattachent à l'application de la Loi sur les langues officielles et de mobiliser à cette fin des ressources humaines et matérielles plus considérables que celles dont il disposait au moment de l'étude;

#### *Information*

(16) d'assortir, chaque fois que cela s'applique, les directives en matière de politique administrative préparées par la Direction de la politique administrative d'instructions relatives aux exigences de la Loi sur les langues officielles;

#### *Directives en matière de politique administrative*

(15) de définir dans les délais les plus brefs les modalités administratives qui permettront aux institutions fédérales concernées d'atteindre les objectifs généraux en matière de langue de travail inclus dans la déclaration du 14 décembre 1972 et de veiller à ce que les institutions visées prennent les mesures nécessaires dès que possible pour que l'échéance approximative donnée dans la déclaration—soit 1978—ne les incite pas à retarder indument toute action;

(14) de préciser auprès des institutions fédérales concernées que les principes relatifs à la langue de travail s'appliquent également aux fonctionnaires postés à l'étranger;

(13) de préciser auprès des institutions fédérales concernées que les principes relatifs à la langue de travail s'appliquent également aux fonctionnaires postés à l'étranger;

(12) de définir dans les délais les plus brefs les modalités administratives qui permettront aux institutions fédérales concernées d'atteindre les objectifs généraux en matière de langue de travail inclus dans la déclaration du 14 décembre 1972 et de veiller à ce que les institutions visées prennent les mesures nécessaires dès que possible pour que l'échéance approximative donnée dans la déclaration—soit 1978—ne les incite pas à retarder indument toute action;

(11) de définir dans les délais les plus brefs les modalités administratives qui permettront aux institutions fédérales concernées d'atteindre les objectifs généraux en matière de langue de travail inclus dans la déclaration du 14 décembre 1972 et de veiller à ce que les institutions visées prennent les mesures nécessaires dès que possible pour que l'échéance approximative donnée dans la déclaration—soit 1978—ne les incite pas à retarder indument toute action;

(10) de définir dans les délais les plus brefs les modalités administratives qui permettront aux institutions fédérales concernées d'atteindre les objectifs généraux en matière de langue de travail inclus dans la déclaration du 14 décembre 1972 et de veiller à ce que les institutions visées prennent les mesures nécessaires dès que possible pour que l'échéance approximative donnée dans la déclaration—soit 1978—ne les incite pas à retarder indument toute action;

(9) de définir dans les délais les plus brefs les modalités administratives qui permettront aux institutions fédérales concernées d'atteindre les objectifs généraux en matière de langue de travail inclus dans la déclaration du 14 décembre 1972 et de veiller à ce que les institutions visées prennent les mesures nécessaires dès que possible pour que l'échéance approximative donnée dans la déclaration—soit 1978—ne les incite pas à retarder indument toute action;

(8) de définir dans les délais les plus brefs les modalités administratives qui permettront aux institutions fédérales concernées d'atteindre les objectifs généraux en matière de langue de travail inclus dans la déclaration du 14 décembre 1972 et de veiller à ce que les institutions visées prennent les mesures nécessaires dès que possible pour que l'échéance approximative donnée dans la déclaration—soit 1978—ne les incite pas à retarder indument toute action;

(7) de définir dans les délais les plus brefs les modalités administratives qui permettront aux institutions fédérales concernées d'atteindre les objectifs généraux en matière de langue de travail inclus dans la déclaration du 14 décembre 1972 et de veiller à ce que les institutions visées prennent les mesures nécessaires dès que possible pour que l'échéance approximative donnée dans la déclaration—soit 1978—ne les incite pas à retarder indument toute action;

(6) de définir dans les délais les plus brefs les modalités administratives qui permettront aux institutions fédérales concernées d'atteindre les objectifs généraux en matière de langue de travail inclus dans la déclaration du 14 décembre 1972 et de veiller à ce que les institutions visées prennent les mesures nécessaires dès que possible pour que l'échéance approximative donnée dans la déclaration—soit 1978—ne les incite pas à retarder indument toute action;

(5) de définir dans les délais les plus brefs les modalités administratives qui permettront aux institutions fédérales concernées d'atteindre les objectifs généraux en matière de langue de travail inclus dans la déclaration du 14 décembre 1972 et de veiller à ce que les institutions visées prennent les mesures nécessaires dès que possible pour que l'échéance approximative donnée dans la déclaration—soit 1978—ne les incite pas à retarder indument toute action;

(4) de définir dans les délais les plus brefs les modalités administratives qui permettront aux institutions fédérales concernées d'atteindre les objectifs généraux en matière de langue de travail inclus dans la déclaration du 14 décembre 1972 et de veiller à ce que les institutions visées prennent les mesures nécessaires dès que possible pour que l'échéance approximative donnée dans la déclaration—soit 1978—ne les incite pas à retarder indument toute action;

(3) de définir dans les délais les plus brefs les modalités administratives qui permettront aux institutions fédérales concernées d'atteindre les objectifs généraux en matière de langue de travail inclus dans la déclaration du 14 décembre 1972 et de veiller à ce que les institutions visées prennent les mesures nécessaires dès que possible pour que l'échéance approximative donnée dans la déclaration—soit 1978—ne les incite pas à retarder indument toute action;

(2) de définir dans les délais les plus brefs les modalités administratives qui permettront aux institutions fédérales concernées d'atteindre les objectifs généraux en matière de langue de travail inclus dans la déclaration du 14 décembre 1972 et de veiller à ce que les institutions visées prennent les mesures nécessaires dès que possible pour que l'échéance approximative donnée dans la déclaration—soit 1978—ne les incite pas à retarder indument toute action;

(1) de définir dans les délais les plus brefs les modalités administratives qui permettront aux institutions fédérales concernées d'atteindre les objectifs généraux en matière de langue de travail inclus dans la déclaration du 14 décembre 1972 et de veiller à ce que les institutions visées prennent les mesures nécessaires dès que possible pour que l'échéance approximative donnée dans la déclaration—soit 1978—ne les incite pas à retarder indument toute action;

(7) de prendre les mesures nécessaires pour que les institutions visées tiennent compte scrupuleusement des exigences de la Loi sur les langues officielles dans l'application des neuf principes énoncés dans la déclaration du Président du Conseil du trésor du 14 décembre 1972;

(8) d'intervenir auprès des institutions concernées pour avancer le plus possible l'échéance — 31 décembre 1978 — fixée pour la « désignation » des postes bilingues chaque fois que l'application de la Loi sur les langues officielles est en jeu;

(9) d'inscrire les institutions concernées qu'elles devront nonobstant l'échéance — 31 décembre 1978 — prévue pour la « désignation » des postes bilingues dans la déclaration du 14 décembre 1972, respecter les échéances que peut fixer le Commissaire à la suite d'une étude ou de l'instruction d'une plainte pour doter un poste — que celui-ci ait été ou non « identifié » comme bilingue — ou pour qu'il y ait un effectif bilingue suffisant pour assurer, conformément à la Loi sur les langues officielles, un service bilingue ou encore l'égalité de statut des deux langues de travail;

(10) de demander aux institutions concernées d'« identifier » les postes unilingues et ceux qui peuvent être dotés indifféremment d'un anglophone ou d'un francophone en même temps que les postes bilingues et, afin de permettre au Commissaire aux langues officielles d'évaluer l'emploi respectif des deux langues officielles dans la fonction publique du Canada, aussi bien au niveau des services qu'à celui de leur emploi comme langues de travail, de mettre à la disposition du Commissaire, au fur et à mesure que les données seront disponibles, les statistiques détaillées relatives

(a) aux postes bilingues;

(b) aux postes unilingues pour lesquels la connaissance de l'anglais est essentielle;

(c) aux postes unilingues pour lesquels la connaissance du français est essentielle;

(d) aux postes qui peuvent être dotés indifféremment d'un anglophone ou d'un francophone;

(11) d'indiquer aux institutions fédérales concernées qu'elles doivent prendre les mesures administratives nécessaires pour que les services assurés par un fonctionnaire unilingue, titulaire d'un poste bilingue, puissent être fournis dans les deux langues officielles, pendant que ce fonctionnaire, conformément aux principes nos 6 et 8 de la déclaration du 14 décembre 1972, suit des cours de langue et tant qu'il n'est pas en mesure d'exécuter ses tâches et en anglais et en français;

(12) d'inscrire les institutions fédérales concernées de l'obligation qu'elles ont de prendre des mesures administratives en vue de respecter la Loi sur les langues officielles, aussi bien au niveau de la langue de service qu'à celui de la langue de travail, lorsque, conformément au principe n° 7 de la déclaration du 14 décembre 1972, des fonctionnaires unilingues comptant de longs états de service restent titulaires d'un poste bilingue;

(13) de veiller à ce que les institutions fédérales concernées, en mettant en œuvre la partie de la déclaration du 14 décembre 1972 qui s'applique à la langue de travail

- (2) de se structurer et de se doter des mécanismes nécessaires pour que son action, dans le domaine des langues officielles, s'étende au delà des seules questions des postes bilingues et des unités de langue française;
- (b) il puisse accorder une grande importance et une priorité suffisante à la tâche de veiller à ce que les institutions fédérales mentionnées se conforment à la loi en tous points;
- (c) l'importance de la Direction des langues officielles, l'étendue de son activité et l'ampleur de ses propres ressources humaines et matérielles ou de celles auxquelles elle peut recourir traduisent l'importance et la priorité du rôle accru du Secrétariat et lui permettent de mener sa tâche à bien dans les plus brefs délais;
- (d) il soit en mesure d'agir simultanément auprès de tous les ministères et d'autres institutions fédérales intéressées, en ce qui touche la Loi sur les langues officielles;
- (e) l'action de la Direction ne se résume pas à fixer des objectifs uniformes, à donner des définitions administratives, à établir des conditions, à déterminer des délais et à inciter un grand nombre d'organismes à l'action, mais comporte en outre l'évaluation des progrès accomplis et l'adoption des mesures correctives qui s'imposent;
- (f) tous ses autres éléments ou unités administratives apportent, dans leur sphère propre, leur concours pour faire appliquer la loi et que cette participation se fasse de façon cohérente auprès de toutes les institutions fédérales concernées;
- Circulaire du Conseil du trésor n° 1971-21*
- (3) de garder à la circulaire du Conseil du trésor n° 1971-21 son actualité, en complétant toutefois les objectifs concernant la langue de service et les communications avec la population de façon que le premier (objectif n° 5) mentionne le devoir qu'ont les institutions fédérales d'assurer leurs services à l'étranger dans les deux langues officielles du Canada et que le second (objectif n° 6) prévoie les cas où une communication à caractère spécialisé — rapport technique mis à la disposition de spécialistes du secteur privé, etc. — peut dans certains cas, constituer un service et qu'elle doit, par conséquent, se faire conformément aux articles 9 et 10 de la Loi sur les langues officielles;
- (4) de préciser les mesures concrètes que doivent prendre les institutions concernées pour atteindre les objectifs n° 5 et 6 de la circulaire du Conseil du trésor n° 1971-21, révisés à la lumière de la recommandation 3;
- (5) de fixer, pour la réalisation des objectifs n° 5 et 6 de la circulaire du Conseil du trésor n° 1971-21, des échéances en tenant compte de l'urgence qu'il y a à appliquer la Loi sur les langues officielles sans retards indus;
- (6) de contrôler régulièrement les progrès accomplis par les institutions concernées dans la réalisation des onze objectifs de la circulaire n° 1971-21, révisés à la lumière des recommandations 3, 4 et 5 du présent rapport et de communiquer régulièrement au Commissaire les résultats de ce contrôle;



### *Le Conseil du trésor à la croisée des chemins*

En conclusion, les représentants du Commissaire ont souligné que si le Secrétariat du Conseil du trésor voulait pleinement jouer, dans le domaine des langues officielles, le rôle actif que les instances politiques lui ont confié, il lui faudrait non seulement adopter une approche plus dynamique et prendre davantage d'initiatives que par le passé mais encore prévoir avec précision les mesures relatives à la langue de service et à la langue de travail que l'ensemble de la fonction publique devra mettre en œuvre pour mieux respecter la Loi sur les langues officielles. Dans cette perspective, le groupe d'étude, en se fondant sur l'expérience accumulée jusqu'ici par le bureau du Commissaire, a remis au Secrétariat une liste des principaux éléments dont il faut tenir compte au niveau de la langue de service. D'autre part, s'il était difficile de répondre de façon exhaustive à toutes les questions que soulève l'emploi, sur un pied d'égalité, des deux langues au travail et dans les communications internes, il était évident que ni les unités de langue française ni la détermination des exigences linguistiques des postes ne constituaient la somme des mesures possibles dans ce domaine.

L'étude, en résumé, a permis d'obtenir une photographie du Secrétariat du Conseil du trésor à un moment crucial. Préoccupé, à l'époque, par le processus de l'« identification » des exigences linguistiques des postes, il n'avait pas accordé aux autres aspects du bilinguisme toute l'attention voulue. Depuis lors, le Secrétariat a bien marqué son intention, comme le présent rapport en fait état, de porter son effort sur d'autres fronts. Le choix, pour le Secrétariat, se résume à l'alternance suivante : ou bien il se replie dans un rôle passif, se contentant de réagir aux demandes formulées par les institutions qui relèvent de sa compétence, ou bien il prend le taureau par les cornes et s'attaque avec résolution aux problèmes restés en suspens. L'année 1974 sera à cet égard décisive.

Le Commissaire a recommandé au Secrétariat du Conseil du trésor :

### *Portée de l'action du Secrétariat et ressources mobilisées*

- (1) de donner sans délai plus d'ampleur à son plan d'action qui a pour but d'amener les institutions relevant de sa compétence à se conformer le plus vite possible à la Loi sur les langues officielles, de façon que ce plan englobe tous les moyens de communications, peu importe leur nature ou leur forme, utilisés pour servir le public ou une partie du public;
- (b) tous les moyens de communications et les éléments ambients indispensables à l'emploi des deux langues officielles comme langues de travail au sein des institutions fédérales;

de mieux respecter la loi aussi bien du point de vue de la langue de travail qu'à celui de la langue de service et, mode d'action qui requiert évidemment une intervention préalable, contrôle de l'application des mesures imposées aux institutions concernées.

C'est ainsi que l'étude a révélé que les directives d'ordre administratif, qui constituent un des moyens par lesquels le Secrétariat, par le truchement en l'occurrence de la Direction de la politique administrative, exerce son rôle de gestionnaire de la fonction publique, ne faisaient, à une exception près, aucune mention des exigences de nature administrative qui découlent de la Loi sur les langues officielles.

Au niveau de l'information, il est vite apparu que l'effort du Secrétariat restait bien en deçà de ce qu'il aurait dû être. En effet, au moment de l'étude, un agent et un employé temporaire constituaient tout le personnel du « groupe » de l'information et des communications rattaché à la Division du bilinguisme. En outre, et en dépit des programmes intéressants que ce « groupe » avait pu préparer et, dans certains cas, faire démarrer, ce qui est ressorti des constatations, c'était, en quelque sorte, le caractère contingent des activités du Secrétariat en matière d'information sur les langues officielles, son incapacité, en somme, de lancer et de poursuivre des programmes à long terme qui auraient permis aux fonctionnaires, surtout, et à la population en général, d'être renseignés sur les aspects pratiques de l'application de la Loi sur les langues officielles.

L'étude a également permis de constater que le Secrétariat n'avait pas pu accorder l'attention nécessaire à la mise en place d'aménagements administratifs susceptibles de favoriser l'utilisation du français de sorte que ce dernier devienne une langue de travail normale et enrichissante pour les fonctionnaires francophones au même titre que l'anglais l'est pour leurs collègues anglophones. L'expérience tentée avec les unités de langue française était encore au stade de l'évaluation et aucune orientation précise n'avait été définie dans les domaines de la langue de travail.

Le Secrétariat — à l'exception des U.L.F. — n'avait pas encore eu l'occasion, au moment de l'étude, d'évaluer le succès de ses programmes en matière de langues officielles. De toute évidence, il ne pouvait pas mettre la charue devant les boeufs et il fallait attendre l'introduction d'un nombre suffisamment imposant de mesures avant de procéder à une évaluation quelconque. Le rapport publié à la suite de l'étude signale néanmoins que le Secrétariat du Conseil du trésor, sans pour autant se substituer au Commissaire aux langues officielles, qui a la responsabilité de veiller au respect de la Loi sur les langues officielles, pourrait grandement contribuer à aider les ministères et organismes à mieux respecter la loi en contrôlant la mise en œuvre des mesures qu'il aura lui-même fait prendre, mesures qui, par hypothèse, tendraient justement à faciliter l'application de la loi.

\*Promue, depuis, au rang de Direction des langues officielles.

catégories de postes, le gouvernement disposerait de données statistiques qui permettraient d'évaluer l'importance relative des deux langues officielles dans la fonction publique fédérale.

Il semble bien d'ailleurs que le Secrétaire ait, depuis, accordé à ce point, ainsi qu'aux deux qui le précèdent, une attention particulière.

Un autre passage de la déclaration du Président du Conseil du trésor a retenu l'attention : il s'agit de l'alinéa consacré au choix de la langue de travail des fonctionnaires fédéraux. L'objectif de base qui s'y trouve exprimé constitue certainement un des éléments importants qui permettront d'appliquer l'article 2 de la Loi sur les langues officielles. Les deux commentateurs qui se sont imposés dans ce cas visent, l'un, les limites géographiques qu'on entend imposer à l'objectif et, l'autre, la période de temps nécessaire à la réalisation de cette politique. En ce qui concerne les limites géographiques — données, il est vrai, à titre d'exemple uniquement — il faut éviter qu'elles ne deviennent restrictives car, appliquées à la lettre, elles excluraient par exemple, certaines villes ou régions où existe une forte concentration de bureaux régionaux d'institutions fédérales, bureaux qui peuvent très bien desservir des zones où les deux groupes linguistiques sont représentés et où, par conséquent, des fonctionnaires des deux langues sont susceptibles de travailler.

Par ailleurs, comme il n'est fait dans ce passage aucune mention des fonctionnaires fédéraux qui travaillent à l'étranger, le groupe d'étude a rappelé que l'objectif de base en matière de langue de travail devrait s'appliquer à tous les bureaux du gouvernement situés à l'étranger.

Pour ce qui est de l'échéance de la mise en œuvre des mesures relatives à la langue de travail, échéance fixée provisoirement à 1978, les auteurs du rapport ont noté que cette dernière ne devait pas servir de prétexte pour ne pas prendre de mesures positives immédiates, comme la définition des modalités administratives qui permettront aux institutions fédérales concernées d'atteindre les objectifs fixés.

Sur un plan différent, l'étude a démontré que l'activité du Secrétaire dans le domaine des langues officielles donnait l'impression d'être plus le fruit du hasard que d'un dessein mûrement formé. Il était évident que la mise en œuvre de la déclaration du Président du Conseil du 14 décembre 1972 et des documents qui y font suite avait obligé la Division du bilinguisme du Secrétaire\* à concentrer toutes ses énergies sur l'« identification » et la « désignation » des postes bilingues et à laisser de côté les autres possibilités d'action et d'intervention : formulation de politiques administratives qui engloberaient les exigences en matière de langues officielles, information des fonctionnaires, implantation d'aménagements administratifs qui permettraient aux ministères et organismes



Dans un autre ordre d'idées, un des principes de la déclaration donnait la priorité à l'« identification » et à la « désignation » des postes bilingues sur celles des postes unilingues ou pouvant être dotés indifféremment d'un anglophone ou d'un francophone. Le groupe d'étude a considéré qu'en « identifiant » en même temps ces trois

saïres pour respecter les dispositions de la loi relatives à la langue de service et à la langue de travail.

pas dispenser les ministères et organismes de prendre les mesures nécessaires pour respecter les dispositions de la loi relatives à la langue de service et à la langue de travail. Le Commissaire a toujours préconisées par le passé — ne devraient fonctionnaires en place — mesures excellentes en soi, du type de celles prévues pour qu'il ne soit pas porté atteinte à la sécurité d'emploi des autres, possibilité de prolongation — pourrait parfois différer l'application de la loi de près de 10 ans. De même, les mesures administratives, outre, possibilité de prolongation — pourrait parfois différer l'application à-dire la dotation, des postes bilingues — 31 décembre 1978, avec, en même loi. C'est ainsi que l'échéance fixée pour la « désignation », c'est-à-dire de ces principes risquait d'entraîner des infractions à cette loi. a permis de déceler que, dans certains cas, une mise en œuvre impru- politiques aient leur source dans la Loi sur les langues officielles, l'étude d'application, par les ministères et organismes fédéraux, de ces nouvelles Bien que les neuf principes de la déclaration qui gouverneront

dans la fonction publique.

des dispositions qui s'appliquent aux personnes qui postulent un emploi fédéraux, de l'identification des exigences linguistiques des postes et du trésor, qui traite, dans un texte distribué à tous les fonctionnaires la déclaration du 14 décembre 1972 faite par le Président du Conseil Le second document analysé par l'équipe chargée de l'étude est

prendre les mesures nécessaires pour combler les lacunes relevées. de garder à la circulaire son actualité, a-t-il demandé au Secrétaire de depuis plus de 18 mois. Aussi le Commissaire, tout en recommandant compte du fait que la Loi sur les langues officielles était alors en vigueur plus efficace eût-elle été assortie d'échéances et de contrôles tenant objectifs en matière de bilinguisme », mais cette exhortation aurait été la planification et la mise en œuvre des activités destinées à réaliser ces bien aux ministères et départements de « considérer comme prioritaire objectifs et que le facteur temps avait été négligé. La circulaire demande que le Secrétaire n'ait pas précisé le contenu général de certains des objectifs. Par ailleurs, l'analyse de la circulaire a permis de relever principaux articles de cette dernière se retrouvent dans quelques-uns directe à la Loi sur les langues officielles, bien que certains des certaines lacunes et omissions et il est dépourvu de toute référence tation : ce document renferme, à côté de nombreux points positifs, devant le Comité des prévisions budgétaires en général. Première consta- Conseil aux sous-chefs de ministères et chefs de départements et

face, apparaissaient comme insuffisantes. Il est vrai, comme le présent rapport en fait état ailleurs, que cette situation s'est améliorée depuis. Une des propositions de base de l'étude entreprise par le Commissaire était que le Conseil du trésor doit avoir, avant d'assumer complètement ses responsabilités de gestionnaire et d'employeur en matière de langues officielles, une idée à la fois ample et précise de la situation du bilinguisme dans la fonction fédérale.

Cet objectif peut être atteint soit au moyen d'études à caractère global soit par une succession d'évaluations partielles, sans que les unes n'excluent nécessairement les autres.

Le 15 décembre 1970 le Conseil du trésor recevait du cabinet le mandat de procéder à une évaluation de l'efficacité du programme de bilinguisme dans son ensemble, en vue de constater les progrès accomplis depuis 1966. Le 15 mars 1971, le Conseil du trésor annonçait la formation d'un Groupe d'étude sur le bilinguisme dont la tâche était d'effectuer l'évaluation demandée.

Au moment de l'étude entreprise par le Commissaire, le Conseil du trésor était en possession de la plupart des résultats — y compris le rapport de synthèse — des travaux de ce Groupe d'étude. Il était alors trop tôt pour savoir jusqu'à quel point cette évaluation à caractère global, embrassant des thèmes importants comme la traduction, la formation linguistique ou les unités de langue française, permettait au Conseil du trésor d'agir efficacement et dans la bonne direction. Toutefois, il n'était pas sûr que les données cueillies eussent pu garder leur actualité très longtemps. Or il semblait bien que l'analyse des rapports du Groupe d'étude et l'élaboration du plan d'action qui aurait pu en découler eussent été, du moins provisoirement, mises de côté au profit de la mise en application des principes contenus dans la déclaration du Président du Conseil du trésor du 14 décembre 1972.

Comme, d'autre part, le Conseil du trésor n'avait pas procédé à des évaluations localisées, l'analyse à très brève échéance des rapports du Groupe d'étude semblait s'imposer si le Secrétaire voulait tirer de ces rapports, pendant qu'ils gardaient leur actualité, certain éléments qui lui auraient permis de planifier son activité dans le domaine des langues officielles.

L'activité même du Secrétaire dans le domaine des langues officielles est conditionnée par les orientations que le Conseil du trésor imprime à la politique linguistique dans la fonction publique depuis qu'il a hérité du Secréariat d'Etat, au début de 1971, du premier rôle, parmi les organes de l'exécutif, dans le domaine des langues officielles. Les représentants du Commissaire ont donc étudié minutieusement deux documents fondamentaux.

Le premier est la circulaire n° 1971-21, intitulée « Objectifs de direction concernant le bilinguisme », adressée par le Secrétaire du

Le groupe chargé de l'étude a établi au départ un cadre conceptuel à partir duquel il a isolé quatre catégories de données à recueillir.

Il fallait, dans un premier temps, définir les responsabilités et les pouvoirs du Secrétariat, non seulement dans le domaine des langues officielles mais encore dans celui, plus large, de la gestion des institutions qui relèvent de sa compétence.

Il convenait ensuite de savoir si le Secrétariat avait pris les moyens nécessaires pour évaluer la situation du bilinguisme dans l'administration fédérale avant d'assumer des responsabilités en la matière.

Troisième catégorie, les mesures que le Secrétariat avait prises ou qu'il se proposait de prendre pour favoriser l'application de la Loi sur les langues officielles constituaient le cœur même de l'étude. Il s'agissait, en d'autres termes, de déterminer si le Secrétariat avait pu ou su jouer pleinement son rôle dans le domaine des langues officielles et d'analyser, le cas échéant, ce qu'il prévoyait faire pour corriger la situation. A cette catégorie se greffait l'examen des conditions que le Secrétariat peut exercer pour vérifier si les mesures qu'il fait prendre sont effectivement appliquées.

Enfin, il y avait lieu d'évaluer les ressources mobilisées par le Secrétariat pour assumer ses responsabilités dans le domaine des langues officielles et d'essayer de voir s'il y avait adéquation entre la fin et les moyens.

### *Principales constatations*

L'étude du Commissaire a permis de constater que le Secrétariat, en dépit de contraintes inhérentes à sa situation et à son rôle, dispose d'une marge de manœuvre suffisamment grande pour lui permettre d'exercer, dans le domaine des langues officielles, une influence peut-être décisive auprès des ministères et organismes qui relèvent de sa compétence.

A cet égard, le Secrétariat s'était montré, par le passé, inutilement lent et circonspect pour assumer ses responsabilités et jouer, dans les conditions voulues, son rôle de guide et d'agent actif dans la mise en application de la loi. Il avait eu également tendance à considérer la mise en œuvre du bilinguisme dans la fonction publique comme une tâche à doser et à régler en grande partie à coups de crédits budgétaires. En somme, l'action du Secrétariat donnait l'impression d'avoir été fragmentaire et sporadique et de manquer de dynamisme. C'est ainsi que les ressources humaines mobilisées jusqu'au moment de l'étude, ressources évaluées en fonction de l'ampleur des tâches auxquelles le Secrétariat doit, dans le domaine des langues officielles, faire



## CONSEIL DU TRÉSOR

## ETUDE SPÉCIALE

*Objet de l'étude*

Des bourses d'études sont accordées par le Gouvernement fédéral aux étudiants (détenteurs d'un diplôme de 1<sup>er</sup> cycle en biologie, chimie, génie, mathématiques, physiques) en vue de l'obtention d'une maîtrise en traduction. En contrepartie de ces avantages, à la fin des études de maîtrise, les boursiers sont tenus d'entrer au service du Bureau des traductions pour une période au moins égale au nombre d'années d'études subventionnées. Les stages devront obligatoirement se faire au Bureau des traductions.

Lorsque le Commissaire aux langues officielles procède à une instruction en vertu de l'article 25 de la Loi sur les langues officielles, il s'attache habituellement à évaluer de quelle façon une institution fédérale donne s'acquies de ses obligations au regard de la loi. Il vérifie alors si l'institution assure ses services au public dans les deux langues officielles et, lorsque l'instruction ne se limite pas à la langue de service, si l'égalité de statut des deux langues est respectée à l'intérieur même du ministère ou de l'organisme observé.

L'orientation de l'étude du Secrétariat du Conseil du trésor, étude dont l'historique est présenté dans le premier chapitre du présent rapport, était tout autre. Il s'agissait essentiellement d'étudier cette institution en tant qu'organisme central pouvant introduire, dans une large portion de l'administration fédérale, des mesures propres à permettre ou à faciliter l'application de la Loi sur les langues officielles. Il fallait, en somme, évaluer le Secrétariat à titre d'employeur et de gestionnaire de la fonction publique dans le domaine des langues officielles et apprécier ainsi l'efficacité des dispositions prises par l'exécutif pour que les organes de ce dernier se conforment à la loi.

Bien que le rapport préparé à la suite de l'étude n'ait été envoyé au Secrétaire du Conseil du trésor qu'en octobre 1973, c'est-à-dire après la fin de l'année financière 1972-1973, le Commissaire a décidé, vu l'importance du sujet, de ne pas attendre la publication de son quatrième rapport annuel pour présenter les résultats de son enquête. Cette dernière, d'ailleurs, s'est déroulée du 12 février au 6 mars 1973. Vingt-neuf séances d'interview ont permis de recueillir le gros des données nécessaires à l'étude. Les représentants du Commissaire ont, en outre, dépouillé divers documents — textes législatifs, directives, rap-

disposition un « module » de trois traducteurs qui devait donner priorité aux travaux du Conseil.

Le Commissaire espérait que cette mesure permettrait, sinon d'assurer la publication de tous les documents simultanément dans les deux langues officielles (les autorités du Conseil ont en effet exprimé des doutes à ce sujet), du moins d'améliorer la qualité de la traduction et de contribuer à diminuer les écarts de temps entre la parution des textes anglais et français.

Dans le cadre de l'instruction de cette plainte, le Conseil a fait part de ses inquiétudes quant à la carence de traducteurs et interprètes qualifiés dans les domaines scientifique et technique et émis l'opinion qu'il serait opportun que les services fédéraux intéressés étudient la question afin de déterminer les mesures à prendre pour améliorer la situation. Le Commissaire a par la suite invité le Surintendant du Bureau des traductions à venir à son bureau s'entretenir de cette question avec le directeur du Conseil des Sciences. De cette première rencontre il est ressorti que la traduction scientifique au Canada souffrait d'un manque de traducteurs compétents et du peu de coordination en matière de terminologie. Les difficultés éprouvées par le Conseil dans ce domaine étaient connues et ressenties par la plupart des organismes gouvernementaux.

Le Bureau des traductions a donc convoqué les représentants des principaux ministères intéressés pour déterminer leurs besoins en matière de traduction scientifique et technique et pour rechercher des solutions à ces problèmes particuliers. Ces besoins se sont vite révélés importants. Toutefois ils devaient être circonscrits de façon plus scientifique à la suite d'un sondage mené auprès des ministères par le Bureau des traductions. Ce dernier était d'ailleurs disposé à lancer une nouvelle campagne de recrutement de spécialistes. En outre, le Bureau et le Conseil devaient rencontrer des représentants de l'Université de Montréal en vue de mettre au point un programme de formation en traduction susceptible d'intéresser les diplômés de diverses disciplines.

Il s'est également avéré urgent de perfectionner et de coordonner les divers services de terminologie existants. Le Bureau des traductions s'efforcerait de jouer pleinement son rôle dans ce domaine, étant bien entendu qu'entre-temps les ministères intéressés auraient accès à toute la documentation et aux services du Centre de terminologie du Bureau des traductions.

Au début de décembre 1973, le Bureau des traductions a porté à l'attention du Commissaire les faits suivants :

Un programme de formation de traducteurs scientifiques a été mis sur pied à l'Université de Montréal avec la collaboration du Bureau des traductions.

Le Conseil publie donc en moyenne neuf rapports par an : un rapport annuel, trois rapports du Conseil des Sciences et cinq études

spéciales.

En ce qui concerne la langue des publications, le Conseil s'inspire naturellement de la Loi sur les langues officielles. Au cours de l'été 1970, le Conseil a recherché l'avis du ministère de la Justice qui lui a fait savoir que le rapport annuel devait être publié dans les deux langues mais qu'il n'en était pas ainsi des autres publications du Conseil. En dépit de cette opinion, le Conseil a décidé de ne rien négliger pour respecter l'esprit et la lettre de la loi. Ceci explique la longue liste des travaux qu'il a publiés simultanément dans les deux langues. Il se propose de continuer d'assurer la parution simultanée des deux versions de son rapport annuel et des rapports du Conseil des Sciences. Quant aux études spéciales, elles paraîtraient dans les deux langues, mais à des dates différentes.

Enfin, la difficulté du Conseil à assurer la parution simultanée des études spéciales dans les deux langues officielles provenait de l'insuffisance des services de traduction. En effet, le Conseil ne disposait que de deux traducteurs pour assurer toutes les traductions.

En premier lieu, le Commissaire a signifié au Conseil son désaccord avec l'interprétation du ministère de la Justice. Tout en admettant que le rapport annuel du Conseil devait être publié dans les deux langues officielles, le Commissaire se refusait à faire la distinction entre ce rapport et les autres publications du Conseil. La loi ne se préoccupe pas du contenu d'un document mais de sa distribution.

La question de savoir si un document doit être publié dans les deux langues officielles ou non dépendra donc du public auquel il s'adresse. Le Commissaire a conclu que l'intention du Conseil de continuer de publier simultanément en anglais et en français son rapport annuel et les rapports du Conseil des Sciences était conforme à la loi. Le Conseil devrait cependant suivre la même politique en ce qui concerne les études spéciales puisqu'elles sont destinées au public francophone aussi bien qu'anglophone.

Constatant que les documents étaient généralement publiés d'abord en anglais, le Commissaire a suggéré au Conseil d'encourager les scientifiques francophones à rédiger leurs textes en français, afin de rétablir l'équilibre et d'assurer la publication de certaines études en français d'abord, s'il était impossible de publier les versions anglaise et française en même temps. Quant aux difficultés de traduction, le Commissaire a émis l'opinion que le Bureau des traductions serait sans aucun doute en mesure de trouver les moyens propres à améliorer la situation.

Afin d'aider le Conseil dans la préparation de la version française de ses publications, le Bureau des traductions a mis à sa



laquelle s'insérerait la procédure des appels d'offres à la lumière des dispositions de la Loi sur les langues officielles.

*Dossier n° 1614—Répertoire*

Le plaignant désire savoir quand paraîtra la version française du *Port Directory*.

Le Conseil a informé le Commissaire que le retard dans la parution de la version française était imputable à des délais de traduction.

Le Commissaire a recommandé au Conseil de voir à ce que, dans la mesure du possible, les publications d'intérêt public paraissent simultanément dans les deux langues officielles, même si cela devait entraîner des retards.

## CONSEIL DES SCIENCES DU CANADA

### PLAINTES

*Dossiers n°s 1504, 1552, 1560, 1713—Publications*

Quatre francophones reprochent au Conseil d'avoir publié en anglais seulement deux études destinées au grand public. Trois des plaintes portent sur l'étude n° 23 « Innovation and the Structure of Canadian Industry » et la quatrième, sur l'étude n° 24 : « Air Quality—Local, Regional and Global Aspects ». Ces quatre plaintes ont fait l'objet d'une seule instruction.

Le Conseil a tout d'abord expliqué au Commissaire sa politique en ce qui concerne la publication de ses documents dans les deux langues officielles. Il publie trois genres de documents :

1) Un *rapport annuel* qui est déposé à la Chambre des communes conformément à la Loi sur le Conseil des Sciences du Canada. Tous les rapports annuels du Conseil des Sciences sont publiés simultanément en français et en anglais.

2) *Les rapports du Conseil des Sciences du Canada* qui contiennent les recommandations officielles du Conseil. Depuis le 1<sup>er</sup> avril 1969, quarante d'entre eux ont été publiés simultanément en français et en anglais (les numéros 5 à 18 inclusivement).

3) *Les études spéciales*, qui sont des études de fond soumises par leurs auteurs au Conseil. Depuis le 1<sup>er</sup> avril 1969, dix-sept de ces études (les numéros 6 à 22 inclusivement) ont été publiées dans les deux langues officielles. Les études numéros 23 et 24 n'ont paru qu'en anglais.

fédéraux ». Ce mouvement évolutif s'est continué depuis, non pas au moyen d'un programme formel de bilinguisme mais dans la fibre même des activités du Conseil.

Le Conseil précise en outre qu'il accélère sa marche vers le bilinguisme. Le secrétaire-trésorier et le directeur adjoint sont, d'après le Conseil, responsables de l'application de la loi. Sur le plan administratif, l'usage de l'anglais est plus fréquent que celui du français en raison de la supériorité numérique des anglophones et aussi parce que nombre de francophones utilisent l'anglais au travail par habitude. Les communications officielles internes cependant se font dans les deux langues. Quant aux réunions, un service d'interprétation simultanée est mis à la disposition des participants. Les publications du Conseil (programmes, rapports, communiqués) sont, selon le Conseil, bilingues ou sont publiées simultanément en deux versions distinctes.

Le Conseil indique que ses directions et ses sections travaillent dans les deux langues officielles et que les manuels sont bilingues. Les employés peuvent travailler dans la langue de leur choix puisque, au dire du Conseil, la plupart des surveillants sont bilingues.

## CONSEIL DES PORTS NATIONAUX

### PLAINTES

#### *Dossier n° 555—Avis d'appels d'offres*

Le Commissaire reçoit d'un correspondant francophone de Winnipeg une copie d'un avis invitant les entrepreneurs à soumettre des offres pour l'aménagement de divers projets. L'avis avait été publié dans un quotidien de langue anglaise de Winnipeg. Le plaignant prétend qu'il aurait dû être publié également dans l'hebdomadaire local de langue française (il n'existe pas de quotidien de langue française à Winnipeg).

Le Conseil des ports nationaux estimait que la publication d'avis dans un hebdomadaire de langue française susciterait un plus grand nombre de plaintes car, dans certains cas, il pourrait y avoir un décalage de six jours entre les dates de parution dans le quotidien de langue anglaise et dans l'hebdomadaire de langue française. Le Conseil s'est dit disposé, toutefois, à s'en tenir aux procédures adoptées par le ministère des Travaux publics en de telles circonstances.

Des entretiens ont eu lieu entre le Commissaire et le ministère des Travaux publics, mais la question des appels d'offres n'a pas encore été réglée. Il a été convenu que le Service des études spéciales du bureau du Commissaire entreprendrait une étude du ministère dans le cadre de

seulement à réduire le pourcentage élevé de pièces vocales en langue anglaise passées sur les ondes, mais aussi à améliorer la qualité de la langue parlée.

Le Commissaire a félicité le C.R.T.C. de cette prise de position et a exprimé l'espoir qu'il y aurait bientôt une amélioration sensible dans ces domaines.

# *Dossiers nos 1725, 1751—Télévision française en Ontario*

Des francophones déplorent qu'à la suite d'une décision du C.R.T.C., on ait diminué la qualité de réception du poste de télévision française de Toronto, CBLFT canal 25, dans le sud de l'Ontario. Ils craignent que cette situation ne nuise aux intérêts des francophones de cette région.

Le C.R.T.C. a transmis au Commissaire son communiqué de presse du 21 février 1973 faisant état de l'exigence de retransmettre les émissions du canal 25 par le truchement des canaux 5 et 9 en cas de difficultés techniques. Le Conseil a précisé qu'une réception adéquate serait assurée avant le 1<sup>er</sup> janvier 1974. Dans son communiqué, le Conseil faisait remarquer que c'était la diversité des installations techniques des systèmes de câble du Toronto métropolitain qui l'avait incité à approuver, de façon temporaire, la retransmission des émissions du canal 25 par les canaux 5 et 9.

Après un examen détaillé de cette question, le Commissaire a informé le C.R.T.C. en septembre 1973 que si une réception de haute qualité était assurée pour les émissions du canal 25 à partir du mois de janvier 1974, l'esprit de la Loi sur les langues officielles serait respecté.

## CONSEIL DES ARTS DU CANADA

### RÉSUMÉ

En décembre 1973, le Conseil des arts estimait que le personnel bilingue, capable de servir le public dans les deux langues officielles, représentait 86 p. 100 de son effectif. Le Conseil espère toutefois que cette proportion — même en incluant les titulaires des postes unilingues — s'élèvera à 96 p. 100 d'ici 1978.

Dans sa réponse au questionnaire du Commissaire, le Conseil indique que depuis sa création en 1957, il s'est efforcé de pratiquer le bilinguisme tant auprès de sa clientèle que dans son activité interne. À l'entrée en vigueur de la loi, le Conseil aurait eu « à cet égard, une avance considérable sur la plupart des ministères et organismes



Plusieurs personnes, dont un mâle courroucé, reprochent au ministère de présenter presque uniquement en anglais l'état civil et les titres des femmes francophones dans les listes bilingues de la première section de l'annuaire du gouvernement fédéral pour la région de la capitale (été 1972). Le ministère a reconnu le bien-fondé des doléances qui lui ont été communiquées par l'intermédiaire du Commissaire. En effet, des deux mille noms féminins à consonance française, seulement 8.5 p. 100 portaient la désignation « Mlle » ou « Mme ». Pour s'assurer que l'état civil et les titres des femmes fonctionnaires soient bien indiqués dans la langue officielle de leur choix, le ministère a recommandé, à la demande du Commissaire, aux directeurs du personnel des institutions qui figurent dans l'annuaire de faire confirmer par les employées leurs préférences sur ce point. Les modifications nécessaires devaient être apportées à l'annuaire d'hiver 1972.

## COMPAGNIE DES JEUNES CANADIENS

### PLAINTÉ

*Dossier n° 694—Formule*

Un francophone déclare que la Compagnie lui a envoyé une formule de déductions libellée en anglais seulement. La Compagnie a informé le Commissaire que la formule en question avait été refaite pour la rendre bilingue.

## CONSEIL DE LA RADIO-TÉLÉVISION CANADIENNE

### PLAINTES

*Dossier n° 194—Programmation radiophonique*

Dans son deuxième rapport annuel (page 201), le Commissaire rapportait que plusieurs personnes s'étaient plaintes de la forte proportion de disques en langue anglaise dans la programmation des stations CKCH (Hull) et CJRC (Ottawa). Le Commissaire, qui avait porté cette question à l'attention du C.R.T.C., a appris au début de 1973 que celui-ci avait invité plusieurs stations de radio de langue française, entre autres CKCH et CJRC, non

bureau des renseignements appropriés rédigés dans les deux langues officielles.

Le Commissaire a recommandé au ministère de prendre les mesures nécessaires afin d'offrir en tout temps aux visiteurs un service dans la langue officielle de leur choix. Dans l'éventualité où il s'avérerait impossible de recruter des gardes bilingues, le ministère devrait s'assurer qu'un de ses employés bilingues soit disponible pour fournir des renseignements dans les deux langues officielles.

Le ministère a accepté de mettre en œuvre les recommandations du Commissaire.

*Dossiers nos 1158, 1199, 1592—Avis de concours*

• Deux francophones, l'un de Québec et l'autre du Manitoba, reprochent au ministère de n'exiger que la connaissance de l'anglais dans un avis de concours relatif à un poste de bibliothécaire à l'administration centrale à Ottawa. Ils s'élèvent contre cette injustice et contre le fait que l'avis n'est qu'en anglais.

Suite à l'intervention du Commissaire, un nouvel avis bilingue a été publié sur lequel on pouvait lire : « Les candidats doivent posséder les qualités requises en ce qui concerne la connaissance et l'usage du français ou de l'anglais ».

• Un francophone écrit au Commissaire au sujet d'un avis de concours pour le poste de directeur de la Division des normes en télécommunications. Il souligne que cet avis, qui exigeait la connaissance de l'anglais et du français, a été publié puis retiré et remplacé par un autre n'exigeant que la connaissance de l'anglais.

Le ministère a expliqué que les candidatures étaient peu nombreuses étant donné le haut degré de spécialisation et d'expérience requis. Un relevé du *Permatri* avait révélé la nécessité d'ouvrir le concours aux unilingues anglophones afin de s'assurer d'un nombre suffisant de candidats ayant les qualités professionnelles nécessaires.

Puisque le ministère avait d'abord admis que les fonctions du poste exigeaient la connaissance des deux langues, le Commissaire a recommandé que le concours soit accessible aussi bien aux unilingues d'expression française qu'aux unilingues d'expression anglaise.

Le ministère a rétorqué qu'une connaissance approfondie de l'anglais était essentielle pour le travail quotidien du bureau, le recours au français étant limité à la lecture occasionnelle de rapports.

Entre-temps, le ministère a offert le poste à un candidat unilingue anglais. Devant ce fait accompli, le Commissaire a recommandé au ministère de donner des cours de français au nouveau directeur.

Le plaignant se présente à la réception du ministère dans l'édifice Vanguard à Ottawa. L'agent de sécurité ne peut lui répondre en français. Le ministère a expliqué qu'il avait éprouvé des difficultés à établir un service de sécurité à la fois efficace et bilingue. Au moment où il s'est installé dans l'édifice Vanguard, il n'a pu obtenir d'agents du Corps canadien des commissionnaires; il s'est donc vu obligé de recourir aux services d'une agence privée. Afin de réduire au strict minimum les communications entre gardes et visiteurs, il a affiché à l'entrée du

*Dossier n° 1729—Agent de sécurité*

Pour vérifier cette assertion, le ministère a appelé les deux standards à quelques reprises. Il a constaté que les téléphonistes de London répondaient selon les instructions reçues et passaient, le cas échéant, l'appel à une collègue bilingue, mais qu'à Hamilton il n'en était pas ainsi. Le ministère a pris les mesures voulues pour corriger la situation.

• Un francophone veut obtenir les numéros de téléphone des bureaux du gouvernement à London et à Hamilton. Il compose les numéros correspondant aux services d'information de ces deux villes, et ne peut recevoir de réponse en français.

Le ministère a accepté toutes ces recommandations. En ce qui concerne plus particulièrement le service gouvernemental à Winnipeg, le ministère a informé le Commissaire que le Manitoba Telephone System assurerait ce service pour le compte du gouvernement fédéral. Il était entendu, en vertu du contrat passé entre cette compagnie et le gouvernement, qu'une téléphoniste bilingue serait affectée au stand d'ou disponible à proximité. Des agents du ministère se sont rendus sur les lieux et ont confirmé que les dispositions prises par le Manitoba Telephone System permettaient d'assurer au public un service convenable en français. De plus, le ministère vérifiait de temps à autre si les standardistes dans les villes telles que Winnipeg, suivaient la procédure recommandée par le Commissaire.

— et, enfin, s'assurer que l'attente soit aussi courte que possible. dans toutes les villes où le service n'est pas encore bilingue; permettant d'acheminer les appels des francophones dans leur langue — poursuivre ses efforts en vue d'instaurer un moyen de communication automatiquement dans la langue officielle de l'utilisateur; en anglais aux francophones étant donné que le service doit être fourni — inviter les téléphonistes anglophones unilingues à s'abstenir de parler que l'utilisateur ait à insister; matiquement tout appel fait en français à une collègue bilingue sans — indiquer clairement aux téléphonistes unilingues de transmettre auto-



Le ministère a informé le Commissaire que le nouvel annuaire, dont la publication était prévue pour mai 1973, serait bilingue. En outre, tous les annuaires téléphoniques dont l'Agence des télécommunications gouvernementales avait la responsabilité refléteront à l'avenir le caractère bilingue du pays.

• Un plaignant fait grief au ministère d'avoir fait paraître en anglais seulement la liste des fuseaux horaires dans les éditions « printemps 1971 » et « printemps 1972 » de l'annuaire du gouvernement pour la région de la capitale nationale.

Le ministère a accepté de remplacer cette nomenclature par une liste bilingue. Comme l'édition « hiver 1972 » était sous presse, les modifications proposées devaient paraître dans la version « printemps 1973 » de l'annuaire.

#### *Dossiers nos 1425, 1543, 1835—Téléphone*

• Une plaignante anglophone s'adresse au central téléphonique du gouvernement du Canada, au numéro 232-8211, pour obtenir des renseignements. Elle rapporte que la téléphoniste lui aurait répondu d'abord en français, puis aurait poursuivi en anglais, de façon brusque et impolie, pour finalement raccrocher avant que la plaignante ait fini de parler.

Le ministère a discuté de l'affaire avec l'Agence des télécommunications gouvernementales et avec Bell Canada, responsables du fonctionnement du central téléphonique d'Ottawa.

Le personnel de surveillance de Bell Canada a convoqué les téléphonistes pour leur rappeler qu'il leur incombait d'observer les instructions écrites les enjoignant de répondre à chaque appel en anglais et en français. Par ailleurs, les fonctionnaires de l'Agence des télécommunications gouvernementales, de concert avec Bell Canada, ont pris soin de mettre les téléphonistes du standard d'Ottawa au courant des formes uniformes de réponse aux appels et des règles élémentaires de politesse.

• Un plaignant souligne qu'il a eu de la difficulté à obtenir des renseignements en français au numéro 985-5454 du service téléphonique gouvernemental à Winnipeg.

Lors de l'instruction en février 1972 d'une plainte similaire concernant une autre ville du Canada, le Bureau du Commissaire avait effectué des tests afin de voir s'il était possible d'acheminer en français les appels dans les villes suivantes : Halifax, Toronto, London, Ottawa, Moncton, Winnipeg et Vancouver. Chaque test avait révélé que telle était la situation.

Néanmoins, le Commissaire avait alors fait les recommandations suivantes au ministère :

• Un francophone de Winnipeg au service d'un organisme fédéral se plaint du fait que l'annuaire du gouvernement fédéral pour la région de Winnipeg est unilingue anglais.

*Dossiers nos 1064, 1515—Annuaire téléphonique*

## PLAINTES

Les documents internes et les notes de service destinées aux employés sont bilingues. Pour ce qui est de la traduction des manuels, on prévoit la terminer durant l'année financière 1973-1974. Les cours de formation et de perfectionnement peuvent, semble-t-il, être offerts dans l'une ou l'autre des langues officielles. Quant à l'usage du français comme langue de travail, le ministère reconnaît qu'il existe certains problèmes, mais affirme que ses progrès sont soutenus et sûrs.

et de langue française pour atteindre son public.  
recours selon les besoins aux media d'information de langue anglaise et de langue française pour atteindre son public.  
ses publications sont offertes en anglais ou en français et qu'il a des deux langues officielles. Il indique que ses affiches sont bilingues, que Le ministère croit pouvoir servir le public dans l'une ou l'autre au Québec et cinq à Ottawa.

connaissances. Le ministère a aussi créé 17 unités de langue française de langue à des postes où le milieu leur permet d'utiliser leurs nouvelles culturels d'échange et l'affectation provisoire des diplômés des écoles complémentaires ont été mises sur pied, par exemple des programmes moniteur et révision des textes. De plus, ajoute le ministère, des activités cises : formation linguistique, recherche terminologique, fonctions de certain nombre de postes de coordonnateurs ayant des fonctions pré-Pour assurer une mise en œuvre ordonnée, sa direction a créé un de ces mesures.

Le directeur des Programmes de bilinguisme est chargé de l'exécution permettre aux fonctionnaires d'utiliser le français ou l'anglais au travail. public des services dans l'une ou l'autre des deux langues officielles et Conseil du trésor. L'objectif du programme est double : assurer au d'achèvement en 1978, en conformité avec les récentes directives du officielles au cours de l'été 1969 et qu'il en a fixé la date provisoire informe le Commissaire qu'il a lancé son programme des langues Dans sa réponse au questionnaire, le ministère des Communications officielles.

certain nombre de mesures visant à appliquer la Loi sur les langues ces plaintes avec efficacité. Il signale par ailleurs la mise en train d'un des organismes fédéraux en anglais et en français. Le ministère a réglé bilingue et que les annuaires téléphoniques locaux donnent la liste phonistes du service de renseignements de l'État assurent un service en 1972-1973. Des plaignants ont, à juste titre, demandé que les télé-

*Des 17 plaintes que le Commissaire a reçues au sujet du ministère au cours des trois dernières années financières, treize ont été formulées*

## APPRECIATION

COMMUNICATIONS — « Cris et chuchotements »

Un francophone fait grief à la Commission de ne pas servir adéquatement le public de langue française au téléphone. L'instruction de la plainte a révélé son bien-fondé. Le Commissaire a rappelé à la Commission que le fait qu'une personne s'adresse en français constitue une demande implicite de services en français et a recommandé que des dispositions soient prises afin de servir en tout temps le public dans les deux langues officielles. La Commission a promis d'engager un employé bilingue pour répondre aux appels téléphoniques et a affecté entre-temps des préposés bilingues à la réception.

*Dossier n° 861—Téléphone*

## PLAINTES

### COMMISSION DE RÉVISION DE L'IMPÔT

La Commission a été prévenue de la situation et a pris les mesures pour que le Bureau soit toujours identifié en français et en anglais. Bureau qu'en français.

On rapporte au Commissaire que la réceptionniste du Centre linguistique d'Ottawa, qui relève du Bureau des langues, n'identifie le

*Dossier n° 1694—Réceptionniste*

Un fonctionnaire anglophone rapporte que certaines des légendes des photos parues dans *INTERACTION*, publiée par l'Office de la pro-notion de la femme dans la fonction publique, n'étaient qu'en anglais. La Commission a admis qu'il s'agissait d'une erreur et a assuré le Commissaire que cela ne se répéterait pas.

*Dossier n° 1621—Publications*

ne la Commission fasse le nécessaire pour que dorénavant les rapports au comité soient établis dans la langue du candidat. Depuis cette date, les stagiaires en administration se voient remettre le rapport du comité, dans la langue de leur choix.



Le Commissaire a institué la plainte en tenant compte du rôle principal du Bureau qui était de fournir des services. Il a noté que l'activité du Bureau était déterminée en grande partie par des influences extérieures puisque les ministères et la Direction du régime du personnel du Conseil du trésor identifiaient les besoins en formation. Quoique le Bureau pût prendre l'initiative d'offrir des cours, il ne pouvait prévoir le nombre d'inscriptions, celles-ci relevant de l'autorité des ministères. Aussi il opérât selon un mode de recouvrement des frais et devait donc chercher à utiliser ses ressources au maximum. Le Bureau paraît depuis un certain temps ses nouveaux modèles de cours simultanément dans les deux langues officielles et comptait offrir dès l'exercice financier 1972-1973 environ 35 p. 100 de ses 70 à 75 modèles de cours en français.

Cependant, le nombre de fois que chaque modèle était offert dépendait des exigences des ministères et du nombre de fonctionnaires dans chaque groupe linguistique.

Le Commissaire a été d'avis que le Bureau en question reconnaissait sa responsabilité dans le domaine de la formation du personnel francophone et s'efforçait, dans la mesure du possible, de respecter la Loi sur les langues officielles. Cependant le Commissaire a reconnu que les ministères ne faisaient pas suffisamment connaître à leurs employés l'existence de ces cours. Il a ajouté qu'il était pleinement conscient de la nécessité d'appuyer et de défendre le droit des employés de travailler et de se prévaloir de services de formation dans la langue officielle de leur choix.

#### *Dossier n° 1537—Rapport du comité des promotions*

Une francophone, stagiaire en administration au ministère de l'Environnement, fait savoir au Commissaire qu'elle a été interviewée en français mais que le rapport de promotion qui lui a été remis a été établi par le comité en anglais. Elle demande qu'une copie de ce rapport lui soit remise en français.

La Commission a expliqué que le rapport était essentiellement un document interne qui se préparait à l'issue d'une entrevue concernant une promotion. La Commission a souligné que le ministère avait discrétion de remettre ou non un tel rapport à l'employée; dans le cas de la plaignante, il a décidé de le faire. Vu les circonstances, la Commission a demandé au ministère de remettre à la plaignante une traduction du rapport.

Le Commissaire a informé la Commission que tout en admettant que la remise ou non d'un tel rapport à l'interviewée était discrétionnaire, il estimait que si un rapport était remis à la candidate il devait être rédigé dans la langue officielle de son choix. Il a donc recommandé

Le Commissaire reçoit des plaintes au sujet d'un certain nombre d'affiches de concours dans la région de la capitale nationale qui ne sont disponibles qu'en anglais.

Quand ces plaintes ont été reçues, c'est-à-dire au cours du premier semestre de 1972, la langue des affiches de concours était déterminée par les dispositions du bulletin 1972-8. A la suite de l'intervention du Commissaire, ce bulletin a été modifié par le bulletin 1972-22.

Le Commissaire, toutefois, a estimé que le nouveau règlement n'allait pas assez loin. Pour les postes exigeant une seule langue, le nouveau règlement obligeait les ministères à préparer des affiches de concours dans les deux langues officielles, lorsque les titulaires de ces postes devaient travailler dans la région de la capitale nationale ou dans un district bilingue.

Le Commissaire s'est entretenu de la question avec la Commission et il a été convenu que des affiches bilingues seraient publiées pour les postes n'exigeant la connaissance que d'une seule langue, quelle que soit la région du poste à pourvoir.

#### *Dossier n° 749—Communications écrites*

Une anglophone unilingue, dont les fonctions consistent à coordonner les arrangements des cours de langue en français et en anglais entre le Bureau des langues de la Commission et le personnel de son ministère, déclare au Commissaire qu'elle désapprouve la pratique du Bureau des langues de rédiger toutes ses communications écrites en français. Elle se plaint des nombreuses difficultés que cela entraîne pour elle et ajoute qu'on l'a avertie qu'il sera nécessaire de confier ses fonctions à une personne parlant le français.

Après avoir communiqué avec les fonctionnaires du Bureau des langues, le Commissaire a informé sa correspondante qu'étant donné que le Bureau des langues avait été désigné unité de langue française, tous les renseignements d'ordre administratif devaient être communiqués aux ministères et organismes en français seulement. Le Commissaire a demandé l'accord de sa correspondante pour soumettre officiellement son cas à son sous-ministre et le prier de lui faciliter l'accès aux cours de français. La plaignante n'a pas poursuivi ses démarches.

#### *Dossier n° 1134—Cours en français*

Le plaignant fait grief au Bureau du perfectionnement et de la formation du personnel de ne pas offrir aux fonctionnaires francophones suffisamment de cours en français.

1971, un comité de révision composé de trois linguistes chargés d'interviewer les fonctionnaires qui jugeaient inexacte l'évaluation de leur connaissance de la langue seconde.

Le comité a interviewé le plaignant et a constaté que la note obtenue au sous-test de compréhension auditive ne reflétait pas équitablement sa connaissance du français.

#### 4. Langue de service

*Dossiers nos 583, 584, 585, 588—Publicité*

Un Franco-manitobain fait grief à la Commission de la fonction publique de faire paraître ses avis de concours pour la région de Winnipeg dans les quotidiens de langue anglaise seulement. Il envoie au Commissaire un certain nombre d'avis de concours pour des postes à pourvoir dans la fonction publique. Ces avis n'ont paru que dans la *Free Press* et la *Tribune* mais dans aucun journal de langue française.

La Commission a expliqué qu'elle avait eu pour politique d'annoncer les concours dans les quotidiens seulement. Comme il n'existait pas de quotidien de langue française dans un grand nombre de régions du pays, la Commission a déclaré que dans la mesure du possible, elle publierait ses avis de concours pour les postes bilingues dans les hebdomadaires de langue française de Colombie-Britannique, d'Alberta, de Saskatchewan, du Manitoba, de l'Ontario, du Nouveau-Brunswick et de la Nouvelle-Écosse.

Pour le Commissaire, cette solution n'était pas entièrement satisfaisante. Il a recommandé que toutes les annonces de concours soient publiées dans les journaux de langue française et de langue anglaise (y compris les hebdomadaires si nécessaire) dans les régions concernées, peu importent les exigences linguistiques des postes à pourvoir. La Commission désirait toutefois étudier à la lumière des pratiques en cours la suggestion de publier des annonces bilingues pour les postes unilingues. (La majeure partie des postes faisant l'objet de concours ont exigé jusqu'ici la connaissance d'une seule langue.) La décision éventuelle de la Commission serait fondée sur les résultats de cette enquête qui prendrait vraisemblablement une couple de mois.

La Commission a par la suite informé le Commissaire qu'il serait très coûteux de publier des annonces bilingues et que le nombre de ces annonces pourrait être modifié de façon importante une fois complétée en décembre 1973 l'identification des postes bilingues. La Commission a proposé de reprendre les discussions à ce moment-là.



• Un fonctionnaire francophone rapporte que la note qu'il a obtenue au sous-test compréhension auditive, examen F400A, était très inférieure aux notes des autres sous-tests qu'il a subis. Il estime que cette note ne reflète pas fidèlement sa compréhension du français. Comme il est d'importance capitale, dans son cas, d'obtenir une note aussi élevée que possible, il demande au Commissaire de l'aider.

Comme il ne s'agissait pas d'une infraction à la Loi sur les langues officielles, le Commissaire ne pouvait intervenir officiellement. Il a cependant soumis le cas à la Commission qui avait institué, en septembre

La Commission a donné au Commissaire l'assurance que la plupart des résultats des tests de langue avaient été consignés au Permatr, mais que des délais s'étaient produits, dans certains cas, à la suite du rejet des fiches de données qui n'avaient pas été remplies correctement par l'employé au moment de subir l'examen de connaissance de la langue. Cela a parfois exigé des démarches auprès des ministères pour obtenir les données manquantes. La Commission a souligné qu'exception faite des cas susmentionnés, les résultats devaient dorénavant être portés au Permatr dans les trois mois qui suivaient le test. La Commission espérait pouvoir réduire cette période à deux semaines.

• Au cours de l'été 1972, un fonctionnaire se plaint au Commissaire du retard à consigner au Permatr les résultats des examens de connaissance de la langue. Il prétend que dans 12 000 cas, le résultat des tests n'a pas encore été inscrit et que certains remontent à 1969. Le Commissaire a dit partager l'opinion du plaignant quant à l'importance qu'il y avait à tenir à jour les dossiers qui permettaient de repérer les candidats bilingues en cas de concours. Il s'est enquis des faits pour vérifier s'ils étaient conformes à la situation décrite par le plaignant.

Dossiers nos 1140, 1249

### 3. Tests de langue

Le ministère a informé le Commissaire qu'il assurerait au plaignant les services d'un moniteur qui l'initierait aux rudiments de la correspondance et de la documentation en langue française.

Le Commissaire a discuté officiellement de ce cas avec le ministère intéressé. Il a appris qu'en raison d'une difficulté auditive, il était peu probable que le plaignant puisse tirer profit de cours audio-visuels. Au travail, d'ailleurs, il s'occupait surtout de documentation.

façon explicite d'aucun ministère ou institution du gouvernement qu'il dispensât des cours de langue seconde à ses employés; il en découlaient que la formation linguistique ne constituait pas un droit en vertu de la loi. Il s'ensuivait que l'admissibilité au Programme d'entretien des connaissances linguistiques n'entrerait pas non plus dans les prévisions de la loi.

Nonobstant ce qui précède, le Commissaire, avec le consentement du plaignant, a demandé de façon officielle à la Commission de la fonction publique de prendre ce cas en considération.

• Après avoir suivi des cours à l'École des langues du chemin Carson, une anglophone exprime au Commissaire des réserves sur l'École et ses méthodes d'enseignement.

Puisqu'aux termes de la Loi sur les langues officielles cette question n'était pas de son ressort, le Commissaire a transmis la plainte à la Commission, avec le consentement de la plaignante. Quelque temps après, le Directeur général de l'École des langues a fait le nécessaire pour que la plaignante suive des cours de français selon une autre méthode que « Dialogue Canada », puisque celle-ci, de toute évidence, ne lui convenait pas.

• Un fonctionnaire anglophone rapporte au Commissaire qu'il a été retiré de l'École des langues du chemin Carson sous prétexte qu'il n'était pas au niveau de la classe, que sa présence créait des problèmes et qu'il avait des difficultés d'audition. Il nie ces assertions et informe le Commissaire qu'il préfère retourner à l'École du chemin Carson plutôt que d'étudier à la maison, à l'aide de bandes magnétiques.

Afin de trouver une solution à ce problème, le Service d'orientation du Bureau des langues a eu plusieurs entretiens avec le plaignant. Bien que sa motivation fût excellente, le plaignant ne semblait pas doué pour apprendre le français. On lui a offert le cours de français actif à suivre à la maison, ce qui lui aurait permis de progresser à son propre rythme en attendant de reprendre les cours de l'École des langues du chemin Carson. Cette offre lui plaisait peu, il préférait qu'un moniteur lui donne deux à trois heures de cours par semaine.

Le Commissaire a demandé à la Commission de lui communiquer le dossier scolaire. Cette information étant confidentielle, elle ne pouvait être révélée sans le consentement du plaignant. Ce dernier a offert au Commissaire de lui envoyer ses propres notes mais n'a pas donné suite à cette offre.

• Un fonctionnaire anglophone se plaint de ne pas avoir accès au cours de français du Bureau des langues. Il déclare que la connaissance du français lui est nécessaire dans l'exercice de ses fonctions et pour son avancement.

«Canada» portaient toutefois à croire qu'avant longtemps une période de 27 semaines suffirait à permettre à un étudiant de devenir bilingue. Le Commissaire a transmis ces renseignements à son correspondant.

• Un anglophone, stagiaire en administration, rapporte qu'après avoir suivi deux séries de cours de français, le Bureau des langues l'a informé qu'il n'était pas apte à apprendre le français par des méthodes auditives. Le Bureau des langues aurait laissé entendre que son ouïe était défectueuse. Le Commissaire a vu à ce que le plaignant subisse un examen d'audiométrie qui n'a révélé aucun défaut marqué de perception. Le Bureau des langues lui a également fait subir un test de compréhension auditive.

Quelques mois plus tard, le correspondant a fait savoir au Commissaire qu'il prenait des leçons particulières de français d'une heure par jour, à son lieu de travail. Les progrès réalisés lui permettaient de retourner à l'École des langues.

• Un fonctionnaire anglophone rapporte que le Bureau des langues ne lui permet pas de poursuivre ses études de français, bien que son ministère l'autorise à s'absenter à cette fin.

Après avoir communiqué officiellement avec le ministre, le Commissaire a appris qu'une évaluation des progrès, établie par le Bureau des langues, avait permis de déterminer si le plaignant pouvait être autorisé à poursuivre ses études de français. Dans le cas présent cette évaluation n'avait pas encore été reçue. Par la suite un rapport révélait que le plaignant avait suivi 1 254 heures de cours de français, de 1966 à 1971, et que son rythme de progrès ne justifiait pas l'autorisation de suivre d'autres cours. Ni le Bureau des langues ni le ministre ne mettaient en doute l'intelligence du plaignant ni ses talents dans d'autres domaines, mais tout en admirant sa persévérance et sa motivation, il leur semblait que des cours supplémentaires seraient infructueux et que, d'ailleurs, le Bureau des langues n'était pas en mesure de lui offrir d'autres cours spécialisés.

Le Commissaire a fait savoir au plaignant qu'il serait disposé à revoir son cas si jamais une affectation ou une promotion lui était refusée pour des motifs linguistiques.

• Un fonctionnaire anglophone rapporte au Commissaire qu'en dépit du fait qu'il ait une bonne connaissance de la langue française, il n'est pas autorisé à faire appel aux services d'un moniteur sous prétexte qu'il n'est pas inscrit à un cours reconnu de français. Le Commissaire, après avoir obtenu une opinion légale sur la question de savoir si la Loi sur les langues officielles donnait aux employés de la fonction publique le droit de recevoir une formation linguistique, a informé son correspondant que la loi n'exigeait de



• Un anglophone, employé au bureau du district Nouveau-Brunswick-

Ile-du-Prince-Edouard du ministère des Postes, demande au Commissaire l'autorisation d'assister avec ses collègues, durant les heures de travail et aux frais de l'Etat, aux cours de français donnés à l'Institut Memramcook ou à l'université de Moncton. Il fait valoir qu'à l'heure actuelle les cours ne sont accessibles qu'en dehors des heures de travail et que les étudiants paient 50 p. 100 des frais de scolarité.

Le Commissaire a répondu que même si les cours de langue ne constituaient pas vraiment un droit aux termes de la Loi sur les langues officielles il était d'avis que, dans la mesure du possible, ces cours devraient être accessibles à tout employé qui désirait les suivre ou estimait qu'il aurait besoin de la langue seconde au cours de sa carrière. Il a officiellement porté la question à l'attention du président de la Commission.

Par la suite, le Commissaire a appris de la Commission que depuis 1969, grâce à un accord avec l'université de Moncton, des cours de langue se donnaient durant les heures de travail aux frais de l'Etat. Chaque année, une centaine de fonctionnaires suivaient ces cours. Le Bureau des langues devait ouvrir en septembre 1972 à Halifax une école où se donnerait un cours intensif de neuf semaines à près de 200 étudiants durant les heures de travail et aux frais de l'Etat.

La Commission a déclaré qu'elle avait également donné son accord aux cours de langues de huit établissements environnants, y compris celui de Memramcook. Le Conseil du trésor autorisait les ministères et organismes à rembourser jusqu'à la totalité des frais de scolarité et les autres dépenses directes qu'entraînaient les cours suivis en dehors des heures de travail dans les établissements approuvés par la Commission. Celle-ci se proposait de mettre sur pied un programme d'extension pour l'enseignement des langues dans un certain nombre de centres dans les Maritimes afin de répondre aux besoins de quelque mille fonctionnaires par année.

Le Commissaire a transmis ces renseignements au plaignant, de même qu'une liste des établissements approuvés par la Commission pour l'enseignement du français dans la région atlantique.

• Un fonctionnaire anglophone met en doute l'affirmation du Bureau des langues voulant qu'en général un étudiant ayant peu ou pas de connaissances du français devienne bilingue en suivant un cours de langue de 27 semaines.

Le Directeur général du Bureau des langues a informé le Commissaire que, en se fondant sur l'expérience des deux dernières années, le Bureau estimait qu'un étudiant moyennement doué pour les langues pouvait, après environ trente-deux semaines de cours, accéder au troisième niveau. Les résultats préliminaires du nouveau cours « Dialogue

Il s'ensuivit un débat prolongé sur l'interprétation à donner au mot « communiquer » et sur la manière dont cette relation pouvait s'établir de façon satisfaisante entre le comité et les candidats. Entre-temps, la Commission de la fonction publique a modifié sa position et les changements ont fait l'objet de nouvelles circulaires et d'amendements aux Réglements. Ceux-ci précisaient que la majorité des membres d'un comité de sélection devait avoir de l'anglais ou du français — ou des deux langues — une connaissance suffisante pour lui permettre de communiquer avec le candidat dans la ou les langues de son choix. Le plaignant est décédé avant d'avoir pu être mis au courant de ces modifications aux Réglements.

## 2. Formation linguistique

Dossiers nos 779, 881, 941, 1011, 1092, 1314, 1429, 1529, 1747

• Un francophone de la Nouvelle-Ecosse souleve plusieurs questions concernant :

a) l'établissement à Halifax d'une école de langues administrée par le Bureau des langues de la Commission;

b) la collaboration symbolique qui existerait entre le Bureau des langues et des institutions francophones comme l'université de Moncton et le Collège Sainte-Anne à Church Point, Nouvelle-Ecosse;

c) la forte orientation québécoise des cours d'initiation à la culture française.

Même si ces questions ne comportaient pas de conventions à la Loi sur les langues officielles, le Commissaire a demandé aux responsables de la Commission d'examiner le problème. Cet examen a permis de constater ce qui suit : depuis déjà près de cinq ans, le Bureau des langues travaillait en étroite collaboration avec l'université de Moncton pour desservir la clientèle des fonctionnaires fédéraux située au Nouveau-Brunswick et en Nouvelle-Écosse. En fait, le Bureau des langues administrait, à la suite d'une entente contractuelle conclue avec l'université de Moncton, un centre d'enseignement qui comptait trois classes sur le campus même.

La décision de mettre sur pied un centre d'enseignement à Halifax ne devait avoir aucune influence sur le service déjà existant à Moncton mais visait simplement à améliorer les conditions d'enseignement dans les provinces atlantiques. Quant à la méthode « Dialogue Canada », objet de la critique sur la forte orientation québécoise des cours d'initiation, le Bureau des langues a déclaré que les réalités socioculturelles qui y étaient présentées correspondaient à celles du Canada français.

dans les meilleurs intérêts de la secrétaire et selon ce qu'il croyait être ses désirs. Il souligna qu'il n'avait jamais eu de meilleure secrétaire mais qu'il hésitait à la reprendre, compte tenu de l'interprétation que l'on pourrait donner de cette situation. On pourrait en effet prétendre qu'une erreur s'était glissée et qu'elle avait dû être corrigée.

Finalement, il fut décidé que le fonctionnaire supérieur avait besoin de deux secrétaires, l'une pour le travail en français, et l'autre, c'est-à-dire la plaignante, pour le travail en anglais. Celle-ci a accepté cette offre.

*Dossier n° 397—Comité de sélection*

Au cours de l'été 1971, un fonctionnaire francophone se plaint de la composition du comité de sélection et de la façon dont s'est déroulé un concours restreint pour la nomination à un poste bilingue au ministère de la Main-d'œuvre et de l'immigration. Le plaignant prétend que le comité n'était pas composé en majorité de membres bilingues, comme l'exigent les règlements de la Commission de la fonction publique. À son avis, un seul des membres du comité était réellement bilingue et les deux autres n'avaient pas une connaissance suffisante du français pour se permettre de lui poser une seule question dans cette langue. Il s'agissait d'un examen oral. Le ministère a refusé d'admettre, comme le prétendait le plaignant, que deux des trois membres du comité n'avaient qu'une connaissance superficielle du français.

Le Commissaire a alors demandé de prendre connaissance, confidentiellement, des demandes d'inscription des candidats au concours et des rapports écrits que le comité de sélection avait préparés sur chacun d'eux.

Le ministre s'est dit dans l'impossibilité d'accéder à la demande du Commissaire en vertu de l'article 25 des Règlements sur l'emploi dans la fonction publique qui stipule que le nom d'une personne qui est candidate à un poste et tout renseignement ou document s'y rapportant ne doivent pas être révélés, sans le consentement du candidat, à toute personne qui ne participe pas directement à la sélection pour la nomination au poste.

Le Commissaire a donc demandé au président de la Commission de la fonction publique de lui communiquer des renseignements sur la langue choisie par les candidats et sur la langue dans laquelle s'était déroulée l'entrevue. Le président a acquiescé à cette demande mais, de l'avis du Commissaire, les détails transmis ne répondaient pas à la version qu'avait donnée le plaignant sur la composition du comité de sélection.



• Une francophone sollicite un poste de sténographe auprès de quatre ministères fédéraux. Elle prétend que les critères de sélection varient en fonction de la langue des candidates unilingues.

Le Commissaire a instruit chacun de ces cas et les a portés à la connaissance de la Commission. Celle-ci a mené une enquête poussée qui n'a révélé aucune évidence de discrimination fondée sur la langue des candidates.

L'instruction du Commissaire n'a pas plus révélé de discrimination linguistique. Dans chaque cas, des erreurs administratives ou des malentendus avaient amené la candidate à tirer des conclusions erronées sur les critères de sélection appliqués. Les ministères concernés ont entrepris de modifier leurs procédures afin que dorénavant de tels malentendus soient évités.

• Après avoir été secrétaire d'un fonctionnaire supérieur de la Commission de la fonction publique et avoir été invitée à suivre plusieurs cours de formation et de perfectionnement en vue d'améliorer ses chances d'avancement, une employée unilingue anglophone écrit à l'Alliance de la fonction publique du Canada affirmant avoir été tenue à l'écart pour que son ancien chef puisse la remplacer par une secrétaire bilingue. La plaignante occupe un poste de CR4 dans une des divisions de la Direction des cadres. Elle envoie un double de sa lettre à son député, qui en fait tenir copie au Commissaire en le priant d'enquêter sur cette affaire.

Bien qu'aucune infraction à la Loi sur les langues officielles n'ait été commise, le Commissaire a communiqué officiellement avec le président de la Commission de la fonction publique en le priant de bien vouloir revoir le cas de la plaignante. Par la suite, la secrétaire se voyait proposer les choix suivants : 1) reprendre ses anciennes fonctions à condition de bien vouloir suivre des cours de français; 2) continuer d'occuper son poste actuel au niveau CR4; 3) demeurer dans ses fonctions actuelles avec la possibilité de suivre des cours de français; ou 4) obtenir une autre situation au niveau ST-6, sans suivre de cours de français. La plaignante n'a accepté aucune de ces offres, exprimant plutôt le désir de reprendre ses anciennes fonctions.

Le Commissaire a alors convoqué la plaignante à une entrevue pour étudier cette question et tenter de concilier son point de vue, celui de la Commission de la fonction publique et celui de son ancien patron. On a expliqué à la secrétaire que ses rapports avec son ancien chef pourraient être tendus et même devenir intenable si on obligeait celui-ci à la reprendre. La secrétaire n'était pas de cet avis car elle s'était toujours bien entendue avec son ancien patron.

Par la suite, ce dernier a eu l'amabilité de répondre à l'invitation du Commissaire de venir le rencontrer. Il affirma avoir toujours agi

de discrimination ethnique. Il semblait que dans le cas de son fils il s'agissait de considérations d'ordre ethnique plutôt que linguistique.

• Une francophone, qui s'était inscrite à quatre concours pour lesquels aucune aptitude linguistique particulière n'était exigée, rapporte qu'un représentant du bureau régional d'Ottawa de la Commission lui aurait laissé entendre, lors d'une conversation téléphonique, qu'elle n'avait aucune chance d'accéder à l'un de ces postes parce qu'elle n'était pas bilingue.

Invitée par le Commissaire à examiner cette question, la Commission en a conclu qu'aucun élément n'appuyait les dires de la plaignante. Celle-ci s'était d'abord inscrite à quatre concours puis s'en était retirée temporairement afin de mettre à jour son dossier; quelques semaines plus tard, elle s'inscrivait de nouveau. Entre-temps, un examen du répertoire avait permis d'organiser un certain nombre d'entrevues et d'établir une liste d'admissibilité dont la Commission s'était servie pour procéder à quelques nominations. En outre, la plaignante avait indiqué qu'elle désirait un emploi pour une période indéterminée alors que deux des concours concernaient des emplois pour périodes déterminées. Quant aux autres concours, la candidate n'a pu être admise à cause de son retrait temporaire au moment où le comité de sélection organisait ses entrevues. La plaignante a été informée par l'agent de dotation en personnel que son dossier serait étudié dès qu'il y aurait un poste à pourvoir pour une période indéterminée.

La plaignante, qui avait manifesté le désir d'apprendre l'anglais, a de nouveau posé sa candidature pour des postes qui deviendraient disponibles en 1973. Par la suite, la Commission a reçu une demande de nomination pour un poste susceptible d'intéresser la plaignante. Celle-ci, possédant toutes les qualifications essentielles et étant disponible à ce moment-là, a été déclarée qualifiée et est entrée en fonctions peu de temps après.

• Une anglophone du Québec demande au Commissaire quelles sont les exigences linguistiques pour devenir fonctionnaire. Elle prétend qu'à titre de sténographe bilingue, elle avait droit à une promotion qui a été accordée à une francophone unilingue.

Le Commissaire a expliqué à la plaignante que la Loi sur les langues officielles s'appliquait au bilinguisme institutionnel et qu'elle n'exigeait pas que chaque employé d'un ministère, ou d'une section d'un ministère, soit bilingue. Il s'ensuivait que la connaissance des deux langues officielles n'était pas obligatoire pour les titulaires de tous les postes, à tous les niveaux. Le Commissaire a conseillé à la plaignante de s'enquérir auprès de l'agent de dotation en personnel de son ministère des exigences linguistiques du poste qu'elle avait sollicité.

Le Commissaire a toutefois conseillé à la plaignante d'exposer son grief à la Commission si elle considérait qu'elle avait été victime en contravention à la Loi sur les langues officielles.

Après avoir soigneusement examiné le contexte de l'entrevue pour le poste en cause, le Commissaire a conclu qu'il n'y avait pas suffisamment bien la culture française.

didature aurait été écartée sous prétexte qu'il ne connaissait pas suffisamment de langues à la Commission de la fonction publique. Sa can- son fils a connu un sort semblable lorsqu'il a sollicité un poste de pro- embauchée parce que son nom n'est pas français. Elle affirme que des Approvisionnements et Services. Elle prétend ne pas avoir été lésée lorsqu'elle a sollicité un poste de réceptionniste au ministère • Une anglophone bilingue, fonctionnaire à Ottawa, estime avoir

*Dossiers nos 880, 1063, 1087, 1328, 1495—Postes*

## *1. Exigences linguistiques*

### *PLAINTES*

L'étude a cependant dû être reportée : il est en effet apparu, en mars 1973, que son efficacité serait notablement compromise par la réorganisation, déjà entamée à cette date, du Bureau des langues et de celui du perfectionnement et de la formation du personnel. Les deux parties sont, en conséquence, convenues de différer l'enquête de quel- ques mois. Le groupe d'étude s'est ainsi remis au travail début octobre; dès la mi-novembre, il avait achevé la phase initiale des recherches (entretiens exploratoires avec la direction) et commencé à délimiter les domaines d'activités de la C.F.P. que les enquêteurs seraient amenés à examiner.

les langues officielles par les administrations qui lui sont comptables. qui était fait par la C.F.P. pour garantir l'application de la Loi sur s'avérer importants dans l'optique de l'étude), mais bien plutôt sur ce de la C.F.P. (sauf si certains aspects de cette mise en œuvre devaient pas centrée sur la manière dont la loi était appliquée au sein même des administrations relevant de cet organisme. Ainsi, l'attention ne serait C.F.P. dans l'application de la Loi sur les langues officielles au sein le Commissaire, en ce sens qu'elle porterait sur le rôle joué par la devait différer de la plupart des études menées jusqu'à ce jour par dans son principe à celle alors en cours sur le Conseil du trésor, elle du journal *Le Devoir* hâta quelque peu son lancement. Comparable déjà, mais une plainte déposée par le directeur et rédacteur en chef



*gestions et observations que le Commissaire a pu faire sur des questions qui sortent du strict champ de la Loi sur les langues officielles, mais qui pouvaient influer quelque peu sur l'attitude du public à l'endroit des langues officielles.*

Bon nombre des 66 plaintes mettant en cause la Commission portaient plus sur des questions administratives que linguistiques. A titre d'exemple, les fonctionnaires n'ont pas prisé devoir attendre aussi longtemps les résultats des tests de connaissances linguistiques, ou ils se sont plaints de ne pas avoir eu l'occasion de bénéficier de formation linguistique, une situation qui souvent n'est pas tant le fait de la C.F.P. que des ministères.

Nombre de plaignants déploient que certains concours ne fussent annoncés qu'en anglais. A cet égard, la Commission a adopté deux mesures importantes dans le but de mieux faire connaître au public francophone les possibilités de carrière dans la fonction publique. Tout d'abord, il a été décidé que tous les avis de concours seraient bilingues et, en second lieu, on a beaucoup augmenté les annonces de postes vacants dans les hebdomadaires lus par les minorités francophones. Le Commissaire espère que tous les concours seront annoncés de façon que francophones et anglophones reçoivent automatiquement l'information dans la langue qu'ils connaissent le mieux.

Le Commissaire a suggéré qu'on établisse un mécanisme de révision afin de réévaluer les résultats des examens de connaissance de la langue lorsqu'il y a lieu de croire qu'ils ne donnent pas une indication juste des connaissances linguistiques des candidats. La Commission a effectivement établi un comité de révision en septembre 1971 et ce dernier semble donner de bons résultats. A l'automne de 1973, le Commissaire a demandé la mise sur pied d'un autre mécanisme de vérification à l'intention des fonctionnaires qui ont dû abandonner leur formation linguistique à cause d'un problème d'apprentissage. Ce mécanisme a été institué au début de 1974.

Le nombre relativement peu élevé de cours de formation professionnels en français est aussi un sujet de préoccupation. La situation semble s'améliorer lentement; néanmoins, le Commissaire croit qu'il faut continuer d'accorder une haute priorité à cette question, car l'égalité sur le plan professionnel dans la fonction publique entre francophones et anglophones l'exige.

## ETUDE SPECIALE

En mars 1973, le Commissaire a fait connaître au président de la Commission de la fonction publique son intention de procéder à une étude de cet organisme. Cette étude était prévue depuis un certain temps

Bien que le président et le Commissaire conviennent quelquefois de ne pas être d'accord, la réaction de la C.F.P. aux plaintes formulées a été très constructive. Ayant toujours soin de garder ses distances constitutionnelles, la C.F.P. a répondu d'une manière positive aux suggestions

Les échanges entre le Commissaire et le président de la C.F.P. et ses collègues reposent sur une confiance toujours empreinte de cordialité, ce qui ne veut pas dire cependant qu'ils n'occasionnent pas parfois aux protagonistes un petit stress stimulant — situation peut-être souhaitable pour la liberté spirituelle de chacun. Sans les conseils du combattant chevronné qu'est le président, le Commissaire serait sorti de ses escarmouches pour la défense des deux langues officielles avec un nombre d'écorchures plus grand encore.

## APPRECIATION

COMMISSION DE LA FONCTION PUBLIQUE — « Tant qu'il y aura des hommes » (et des femmes)

Un francophone ayant utilisé le parc de stationnement de la Commission situé au coin des rues Queen et Kent (Ottawa) se plaint d'avoir reçu une quittance libellée uniquement en anglais. La C.C.N. a rapidement remédié à la situation et a envoyé au Commissaire un exemplaire de la quittance bilingue qui serait dorénavant remise aux usagers.

## Dossier n° 1736—Quittance de stationnement

Un francophone se plaint de recevoir de la Commission une facture où la date, la boîte postale et le nom du bureau de poste figurent uniquement en anglais. La C.C.N. a fait savoir au Commissaire qu'elle avait reprogrammé l'ordinateur servant à la facturation; dorénavant, la date serait indiquée en chiffres et l'adresse du client, rédigée dans la langue de son choix.

## Dossier n° 1532—Facture

en avril 1971 un rapport dans lequel il recommandait à la C.C.N. de veiller à ce que toute la signalisation extérieure dans la région de la capitale nationale qui relevait de sa compétence soit bilingue. La C.C.N. lui avait annoncé en mars 1972 que cette recommandation avait été mise en œuvre. Le Commissaire a exigé que les inscriptions des deux panneaux en cause soient bilingues en mars 1973 au plus tard, ce que la C.C.N. a accepté de faire.

*Dossier n° 1341—Parc de la Gatineau*

Un anglophone se dit passablement offensé de l'absence quasi totale de signalisation anglaise aux belvédères Champplain et Brûlé, dans le parc de la Gatineau.

La Commission a reconnu qu'il manquait le mot « lookout » sur deux pancartes. Celles-ci comprenaient un certain nombre de planchettes ou d'écriteaux en bois; lorsqu'on s'était aperçu que la partie portant la mention « lookout » manquait, il avait été décidé de placer les panneaux tels quels et de l'y ajouter ultérieurement. Comme la promenade devait prochainement être fermée à la circulation pour l'hiver, la C.C.N. démontrerait alors les panneaux pour ajouter la mention omise et les remettrait en place avant la réouverture. Elle a également signalé au Commissaire que l'inscription d'un autre panneau non conforme aux dispositions de la Loi sur les langues officielles serait corrigée. La C.C.N. a précisé, par ailleurs, au Commissaire qu'en certains autres endroits du parc, il existait des panneaux unilingues, mais que ceux-ci étaient toujours disposés deux par deux (un anglais et un français), ajoutant qu'elle avait adopté cette solution là où un seul écriteau rédigé dans les deux langues serait trop long ou difficile à lire.

Le Commissaire a recommandé à la Commission de la capitale nationale de faire en sorte que tous les panneaux en place au printemps 1973 respectent les dispositions de la Loi sur les langues officielles.

*Dossier n° 1500—Sigle*

Un francophone d'Ottawa se plaint du fait que le sigle de la Commission ne figure qu'en anglais sur ses boîtes de rangement et à ordures. La Commission a indiqué au Commissaire que cette question serait réglée par le remplacement systématique du sigle par le symbole de la C.C.N. Un suivi fait dix mois plus tard a permis de constater que ce programme était en bonne voie de réalisation et qu'il serait terminé avant le 31 décembre 1973.

*Dossier n° 1510—Promenade de l'Outaouais*

Un correspondant proteste contre l'unilinguisme anglais de deux panneaux placés le long de la promenade de l'Outaouais. La Commission a fait savoir au Commissaire qu'elle revoyait tous les écriteaux corrigés dans le cadre du programme en cours afin que tous les écriteaux soient bilingues.

Le Commissaire a rappelé à la Commission qu'il avait mené une étude spéciale portant sur sa signalisation et qu'il lui avait communiqué



*recommandations qu'il lui avait faites, en 1971, au terme d'une étude spéciale des panneaux et écritureaux extérieurs relevant de la C.C.N.*

En 1966, la C.C.N. a élaboré son programme de bilinguisme et s'est engagée à en achever la réalisation en 1978. Son objectif est de satisfaire aux prescriptions de la Loi sur les langues officielles et aux directives du Conseil du trésor. Le secrétaire de la Commission est le responsable de l'élaboration de la politique de bilinguisme au siège social; il est secondé dans les bureaux locaux par des superviseurs. La C.C.N. a informé le Commissaire en novembre 1973 que les communications personnelles ainsi que les formules, affiches, publications et autres documents étaient dans les deux langues officielles. Elle affirmait en outre que les communications internes, comme la plupart des manuels, étaient bilingues et qu'elle encourageait ses employés francophones à travailler en français, bien que ce soit surtout l'anglais qui serve aux fonctions de supervision.

## PLAINTES

### *Dossier n° 1094—Parc de la Gatineau*

La plaignante fait grief à la Commission de ne pas s'assurer que les serveuses du salon de thé à Moorside, dans le parc de la Gatineau, puissent communiquer avec le public dans les deux langues officielles. La Commission a fait savoir au Commissaire que le salon de thé était loué à la « Gatineau Historical Society », une société bénévole, et que six des huit serveuses pouvaient accomplir leur travail en français. Le Commissaire a néanmoins invité la C.C.N. à suggérer à la « Gatineau Historical Society » d'utiliser son personnel de telle façon que les clients francophones aient droit à un service rapide dans leur propre langue.

### *Dossier n° 1170—Restaurant The Mill*

Un francophone porte à l'attention du Commissaire les nombreuses fautes de français qui émaillent le menu du restaurant *The Mill*, situé à Ottawa et locataire de la Commission. La C.C.N. a fait remarquer au Commissaire qu'il y avait aussi des erreurs dans le texte anglais du même menu, lequel avait déjà été corrigé et réimprimé, mais apparemment sans grand succès. Elle allait donc inviter son locataire à apporter les corrections voulues lorsque de nouveaux menus seraient imprimés.

Au cours des trois dernières années, le Commissaire a été saisi de douze plaintes contre la C.C.N. La Commission s'est montrée habile à trouver des solutions aux plaintes, bien que dans certains cas, sans doute inspirée par les citoyens musardant en février sur la glace du canal Rideau, elle ait pris l'allure d'un patineur plutôt languide. La région de la capitale nationale a une fonction symbolique importante et doit refléter l'image bilingue du pays. À cet égard, la Commission a su assumer ses responsabilités et le Commissaire a gardé un bon souvenir de la rapidité avec laquelle elle a donné suite aux

## APPRECIATION

COMMISSION DE LA CAPITALE NATIONALE — « La cité sans voiles »

Dossier n° 1305—Offres d'emploi

Un anglophone de Montréal se plaint que les offres d'emploi pour un certain nombre de postes de la Commission n'ont paru qu'en français dans *The Gazette*, journal de langue anglaise. Après instruction le Commissaire a constaté que seul un texte rédigé en français accompagnait la liste des journaux français et anglais fournie par la Commission d'assurance-chômage à la Commission de la fonction publique, chargée de la publicité pour le recrutement. La Commission d'assurance-chômage a, depuis, pris des dispositions pour que le texte des offres d'emploi rédigé dans la ou les langues appropriées accompagne bien la liste des journaux où elles doivent paraître.

La Commission a informé le Commissaire qu'elle procédait à l'examen d'une série d'instructions concernant l'emploi généralisé de son symbole d'identité et également des textes apparaissant sur les documents destinés au public dans le but de s'assurer que les instructions indiquaient clairement les exigences de la Loi sur les langues officielles et la priorité à accorder, dans certaines régions, à la langue parlée par la majorité de la population. Les points soulevés par le plaignant devaient donc être pris en considération au cours de cette révision. La Commission a dit enfin qu'elle ferait part au Commissaire des résultats de cet examen. A la fin de septembre 1973 la Commission n'avait pas encore terminé son étude. Par conséquent, aucune nouvelle directive n'avait été émise et les enveloppes dont on s'était plaint portaient toujours des adresses unilingues. Toutefois, la Commission a assuré le Commissaire que des directives allaient être émises incessamment.

dans la présentation de demandes de prestations. La société en question était l'un des quatre employeurs francophones à qui l'on avait envoyé, par mégarde, une lettre rédigée en anglais.

La Commission a fait parvenir à la société, avec ses excuses, une version française de la lettre. Le Commissaire, pour sa part, a recommandé à la Commission de prendre les mesures nécessaires afin d'éviter à l'avenir ce genre d'erreur.

#### *Dossier n° 1350—Concours*

Une francophone, dont la connaissance de l'anglais est limitée, pose sa candidature à un poste de sténo-dactylo au bureau du personnel de la Commission, à Ottawa. Elle prétend avoir été avisée qu'un poste ST-3 unilingue anglais était vacant mais qu'en raison de sa connaissance limitée de l'anglais, elle n'était admissible qu'à un poste ST-1 bilingue. Elle ne voit pas comment une francophone sachant un peu d'anglais n'a droit qu'à un poste de niveau ST-1, tandis que des anglophones unilingues peuvent entrer en fonctions à un échelon supérieur.

La Commission a fait savoir au Commissaire que la plaignante avait tort de penser qu'elle ne pouvait être engagée qu'au niveau ST-1; l'organisme employait, en effet, des sténodactylos unilingues (anglais ou français) et bilingues à tous les échelons. Elle a ajouté que les candidates étaient envoyées à la Commission par les centres de main-d'œuvre et la Commission de la fonction publique; elles subissaient ensuite un test visant à déterminer leur niveau de compétence par rapport aux normes établies par la Commission de la fonction publique. Dans la mesure où les résultats étaient positifs et où un poste adéquat était vacant, la candidate se voyait offrir un emploi. En revanche, si à ce moment-là aucun poste correspondant aux qualifications de la candidate n'était disponible, celle-ci en était avisée en même temps que la Commission de la fonction publique.

Dans le cas de l'intéressée, les tests indiquaient, selon la Commission d'assurance-chômage, qu'elle remplissait les conditions pour se voir attribuer soit un poste de ST-3 ne nécessitant que la connaissance du français, soit un poste de ST-1 faisant appel à des connaissances dans les deux langues officielles. Malheureusement, aucun poste n'était, à l'époque, à pourvoir dans ces deux catégories, ce dont la plaignante avait été informée.

#### *Dossier n° 1647—Correspondance*

Un représentant d'une association francophone se plaint de l'unilinguisme d'une adresse imprimée sur certaines enveloppes de la Commission.



La Commission s'est excusée en indiquant que l'incident était très certainement dû à une erreur. Son bureau de Sudbury comptait une large proportion d'employés bilingues : cinq des six fonctionnaires supérieurs (dont le directeur), 33 des 68 employés ayant affaire au public, tous les téléphonistes et réceptionnistes, soit au total 48 p. 100 du personnel du bureau.

Afin d'éviter la répétition d'un tel incident, le directeur a rappelé aux employés de toujours servir le public dans la langue officielle de son choix.

#### *Dossier n° 1439—Timmins*

Un organisme de langue française se plaint d'avoir reçu du bureau de Timmins une lettre-formule remplie du côté anglais.

L'instruction a révélé qu'il s'agissait plutôt d'un oubli que d'une infraction à la politique de la Commission en ce qui concerne les services au public.

A la suite de l'intervention du Commissaire, le bureau de Timmins a rappelé aux employés qu'il était essentiel de servir le public dans la langue de son choix.

#### *Dossiers nos 895, 1059—Saint-Boniface*

• Un francophone se présente au bureau de la Place Provencher à Saint-Boniface et demande des renseignements à l'hôtesse d'accueil. Celle-ci lui répond en français qu'aucun membre du bureau n'est en mesure de s'occuper de lui et lui conseille de se rendre au bureau principal à Winnipeg. Le plaignant en conclut que personne n'est en mesure d'assurer le service en français au bureau de Saint-Boniface. La Commission a informé le Commissaire que ce bureau était fermé au public depuis le mois de juin 1971. Le personnel qui s'y trouvait était composé d'enquêteurs dont la fonction consistait à contrôler les prestations et non à fournir un service au public. C'est ce qui explique la réponse de l'hôtesse d'accueil.

Le Commissaire a fait savoir au plaignant qu'il ne s'agissait donc que d'un simple malentendu.

• Une société francophone de Saint-Boniface fait grief à la Commission de lui adresser une lettre circulaire en anglais.

La Commission a informé le Commissaire qu'elle avait envoyé à son bureau régional de Winnipeg une liste de deux cent onze organismes intéressés par des programmes d'initiatives locales. Afin de faciliter l'enregistrement des réclamations à la fin des programmes, on avait décidé d'écrire aux organismes pour leur exposer la procédure à suivre

Un membre d'une association de langue française envoie au Commissaire un exemplaire de la formule que lui a adressée le bureau de la Commission d'assurance-chômage de Cornwall (Ontario). L'imprimé recto verso est bien bilingue mais les services intéressés ont employé la partie anglaise au lieu de la partie française.

La Commission a informé le Commissaire que son bureau de Cornwall essayait toujours de servir le public dans la langue officielle de son choix. Elle a précisé, en outre, que neuf employés des services administratifs et du service extérieur ainsi que quinze des 22 membres du personnel de soutien administratif étaient bilingues. Elle a également souligné qu'il était facile de répondre à une lettre dans la langue du correspondant mais que des difficultés survenaient lorsqu'il s'agissait d'écrire à quelqu'un dont on ne connaissait pas la préférence linguistique. Ainsi, la raison sociale d'une entreprise pouvait être partiellement française, comme dans « Lalonde Service Station », ce qui ne donnait aucune indication précise quant à la langue que cette entreprise utilisait dans ses transactions commerciales. D'après son expérience, la Commission croyait que, dans des régions comme celle de Cornwall, il était pour le moins risqué de s'adresser exclusivement en français à des employés, puisque la plupart d'entre eux traitaient leurs affaires en anglais. Elle a donc proposé qu'en cas de doute, le français ne soit utilisé qu'avec ceux dont la raison sociale était entièrement française.

Le Commissaire en a conclu que cela reviendrait, pour le bureau de Cornwall, à correspondre en anglais avec les employés dont l'entrepris avait une raison sociale en partie française et en partie anglaise. Une telle pratique pourrait fort bien contrevenir à la Loi sur les langues officielles. Le simple fait qu'un employeur francophone appelé dans la région de Cornwall, à traiter avec des clients tant francophones qu'anglophones, choisisse pour son entreprise un nom partiellement anglais, ne devrait pas amener les institutions fédérales à systématiquement correspondre en anglais avec lui car cet employeur pourrait fort bien exiger des communications rédigées en français.

C'est dans ce contexte que le Commissaire a recommandé que, dans tous les cas où une raison sociale était partiellement française et partiellement anglaise, le bureau de Cornwall téléphone à l'employeur pour établir avec certitude dans quelle langue il convenait de correspondre avec lui.

Deux francophones se plaignent de ce que des employés du bureau de Sudbury leur ont répondu en anglais au téléphone, alors qu'ils avaient rempli leurs formules en français.

bureau de Charlottetown étaient disponibles dans les deux langues officielles. Toutefois, le personnel de ce bureau ne se souvenait pas d'avoir reçu de demande de prestation en français au cours des trois dernières années à l'exception d'une transmise par le bureau de Montréal. Étant donné que les neuf employés étaient anglophones unilingues, on a décidé de faire appel au Centre de main-d'œuvre voisin du bureau de la Commission à Charlottetown, lorsque se présenterait une personne francophone. Ce cas s'est produit à deux reprises. Quant aux communications rédigées en français, le bureau régional de Moncton s'en chargerait.

La Commission n'a pas désigné de poste bilingue à Charlottetown car elle estimait que les arrangements actuels lui permettraient de servir adéquatement le public dans les deux langues officielles. Elle pouvait ainsi déployer ses ressources en main-d'œuvre bilingue dans d'autres secteurs de la région atlantique où la demande était beaucoup plus grande.

*Dossiers nos 774, 784, 785, 786—Nouveau-Brunswick*

Des francophones se plaignent qu'il est difficile de communiquer en français avec les bureaux de la Commission à Bathurst et à Moncton. Par exemple, on déclare avoir attendu une demi-heure au téléphone avant que le bureau de Moncton ne réponde en français. En outre, on reproche au bureau de Bathurst de verser au dossier des francophones des documents rédigés uniquement en anglais.

En ce qui concerne le bureau de Moncton, la Commission a indiqué qu'elle avait effectué des mutations latérales à l'intérieur du bureau afin de mettre à la disposition du public des téléphonistes et des agents d'information bilingues.

Au bureau de Bathurst, tous les employés, sauf un, étaient bilingues. Les communications orales et écrites étaient établies dans la langue officielle choisie par les clients. Ceux-ci étant bilingues, ils s'adressaient au bureau indifféremment en anglais ou en français. Tous les documents versés à un dossier étaient rédigés dans la langue de la demande de prestation. Quant aux communications entre les employés des bureaux de Bathurst et de Moncton, elles se faisaient en anglais ou en français, au choix des employés. Il se pouvait donc qu'une note de service au sujet de ces communications internes ait été versée à un dossier sans être nécessairement rédigée dans la langue du client. Cette pratique ne pouvait porter préjudice à ce dernier puisque tous les documents dont il pouvait avoir besoin, de même que les communications orales et écrites entre le bureau et lui, étaient dans la langue du client.



bilingues, tout comme 29 employés intermittents bilingues, occupaient

des postes de relations avec le public.

Le bureau régional pouvait recruter son personnel jusqu'au niveau 5 d'administrateur de programme, tandis que la compétence du bureau de district en matière de recrutement s'arrêtait au niveau 5 de commis. Tous les avis d'emploi étaient rédigés dans les deux langues, et toutes les annonces paraissaient dans les journaux anglais et français.

Dans les deux bureaux, les possibilités de carrière, l'âge et les fonctions nécessitant des relations avec le public influençaient fortement sur le choix des candidats aux cours de langue. Au bureau régional, durant les trois dernières années, cinq employés avaient commencé à suivre des cours de français comparativement à un seul au bureau de district, lequel espérait cependant pouvoir inscrire de cinq à sept employés au minimum à des cours de langue pour l'année financière 1972-1973.

Cette étude a donc révélé que les bureaux de la Commission d'assurancé-chômage avaient fait de louables efforts pour se conformer aux dispositions de la Loi sur les langues officielles. Toutefois, compte tenu de quelques insuffisances, le Commissaire a formulé les recommandations suivantes :

(1) que, d'une part, le *Bureau régional* tienne à jour l'ensemble de directives sur le bilinguisme qu'il possède, et que, d'autre part, le *Bureau de district* obtienne immédiatement du Siège ou du Bureau régional toutes les directives utiles sur le bilinguisme, en vue de constituer son propre dossier sur le sujet, afin que tous les membres du personnel en contact avec le public connaissent les exigences de la Loi sur les langues officielles;

(2) que tous les panneaux unilingues, installés à l'intérieur du territoire relevant du Bureau régional de Moncton, soient remplacés par des panneaux bilingues d'ici le 31 mars 1973;

(3) que toutes les affiches soient immédiatement placardées de façon telle que le public puisse en voir aussi bien la version française que la version anglaise;

(4) que la direction des bureaux de Moncton prenne les mesures qui s'imposent pour que les téléphonistes identifient en tout temps leur bureau respectif dans les deux langues officielles du Canada.

## PLAINTES

Dossier n° 789—Charlottetown

Un francophone de l'Île-du-Prince-Édouard déclare qu'il n'y a pas de service bilingue au bureau de Charlottetown.

La Commission a expliqué au Commissaire que toutes les brochures de renseignements et toutes les formules de réclamation du

En outre, le groupe avait, à la fin de l'année financière, visité un bureau de district (Halifax) et un bureau régional (Montréal) tout en préparant ses dernières rencontres à l'échelon régional et à l'administratif central. Il avait de plus entamé l'analyse des données et renseignements obtenus jusqu'alors.

Cette étude avait pour but d'évaluer la qualité des services bilingues offerts au public par les bureaux de Moncton de la Commission d'assurance-chômage. Dans son enquête, menée au début de l'été 1972, l'équipe s'est particulièrement intéressée à l'utilisation des deux langues officielles au bureau régional et au bureau de district dans les postes de relations avec le public. Elle a constaté que des directives sur le bilinguisme avaient été diffusées au sein du bureau régional mais non au sein du bureau de district. Dans le bureau régional, tous les écrivains, à l'exception des quelques plus anciens, étaient bilingues. Dans le bureau de district, tous les écrivains et affiches étaient bilingues mais l'équipe a remarqué que les affiches n'étaient pas disposées de façon à assurer une exposition égale au public des versions anglaise et française. Dans les deux bureaux, tous les formulaires, brochures et cartes de visite étaient bilingues, soit que les deux langues figuraient sur le même article ou soit qu'elles figuraient sur deux versions séparées du même article. Le bureau régional, doté d'un budget appréciable pour la publicité, utilisait souvent et également les médias de langue anglaise et française, au contraire du bureau de district qui, lui, ne disposait pas d'un tel budget et utilisait donc rarement les organes de communication. Les contrats conclus par l'un ou l'autre des bureaux étaient négociés dans la langue de l'autre partie contractante ou du bailleur; de la même manière, la correspondance de chaque bureau était rédigée dans la langue du destinataire. Le bureau régional, comme le bureau de district, affirmait se présenter dans les deux langues au téléphone; toutefois, au cours de communications téléphoniques avec ces bureaux, faites aux fins de l'enquête, l'équipe a constaté qu'à plusieurs occasions, seul l'anglais était utilisé.

En ce qui concerne le personnel, au moment de l'étude, le bureau régional comptait 73 employés réguliers et 50 employés intermittents dont 20 et dix respectivement étaient censés être bilingues. Parmi les employés réguliers, neuf seulement occupaient des postes de relations avec le public et cinq étaient bilingues. Aucun des employés intermittents n'occupait un poste où il se trouvait en contact avec le public. Au bureau de district, 18 des 75 employés réguliers et 31 des 93 employés intermittents étaient bilingues. Les 18 employés réguliers

De décembre 1972 au 22 mars 1973, le groupe d'étude a eu des entrevues à l'administration centrale afin de prendre connaissance de l'organisation de la Commission, de la nature de son travail, de ses méthodes et de ses publics. Ensuite, il passa en revue la politique en matière de langue de service et toutes les dispositions prises et envisagées par les divers services centraux dans le domaine des langues officielles.

Comme les structures administratives de la Commission sont relativement décentralisées, à titre d'échantillons, les bureaux suivants ont été visités : bureaux régionaux de Montréal, Toronto, Winnipeg et Vancouver; bureaux des districts de Halifax, de Hull, de Toronto sud, de Sudbury et d'Edmonton.

Au cours de décembre 1972, une étude de l'administration centrale de la Commission d'assurance-chômage a été entreprise afin d'examiner, sous l'angle du bilinguisme, les services qu'assure cet organisme au public. La gamme étendue des contacts qu'a la Commission avec la population justifiait particulièrement l'intérêt que lui portait le Commissaire.

## ETUDE SPÉCIALE

A la suite de l'intervention du Commissaire, la Commission, à qui on reprochait de ne publier ses offres d'emploi que dans les quotidiens de langue anglaise au Manitoba, a accepté de recourir à des médias de langue française pour sa publicité.

La Commission a promptement corrigé ces lacunes ou en procédant à des mutations latérales à l'intérieur d'un bureau, ou en créant un nouveau poste bilingue ou encore en recrutant du nouveau personnel de façon que les bureaux appelés à desservir une importante population minoritaire de langue française puissent le faire dans cette langue. Dans certains cas, lorsque la demande était extrêmement faible, la Commission a fait appel au service d'employés bilingues du ministère de la Main-d'œuvre. Les autorités de la Commission ont rappelé aux employés de toujours remplir du côté français les formules bilingues destinées aux francophones et vice versa pour celles destinées aux anglophones.

Dans la plupart des cas, les correspondants se plaignaient de ne pouvoir obtenir de renseignements en français au téléphone ou en personne dans les bureaux susmentionnés.

Moncton, Winnipeg, Saint-Boniface, Timmins, Sudbury et Cornwall. Les plaintes portaient toutes sur la langue de service et touchaient les bureaux de Charlottetown, Bathurst,



été déposées contre la Commission d'assurance-chômage et celle-ci y a  
Au cours des trois dernières années, seize plaintes fondées ont  
me au téléphone.

signalisation externe, les affiches et écriteaux internes et le bilinguis-  
bureau de Moncton concernant les directives sur le bilinguisme, la  
avait donné suite aux quatre recommandations faites au sujet de son  
En août 1973, la Commission a informé le Commissaire qu'elle  
excellente.

*d'une étude spéciale et, en général, pour le règlement des plaintes est*  
*recommandations qu'il a faites pour le bureau de Moncton à la suite*  
*Commission d'assurance-chômage à l'égard de la mise en œuvre des*  
Le Commissaire estime que la collaboration qu'il a reçue de la

## APPRECIATION

COMMISSION D'ASSURANCE-CHÔMAGE — « Robin des Bois »

lui-ci soit disponible dans les deux langues officielles.  
la presse, directement ou par la poste, le texte d'un de ses discours, ce-  
chefs de cabinet des ministres à s'assurer que lorsqu'un ministre remet à  
Conseil privé. Le chef de cabinet du premier ministre a invité tous les  
Le Commissaire a porté cette question à l'attention du bureau du  
d'un discours et une lettre rédigés en anglais seulement.

se plaint d'avoir reçu du ministre responsable de la Commission le texte  
La rédaction d'un journal de langue française de l'Ouest canadien

*Dossier n° 843—Communiqué de presse*

## PLAINTES

## COMMISSION CANADIENNE DU BLE

de l'organisme.  
aux employés actuels et futurs un choix compatible avec l'efficacité  
les attitudes traditionnelles quant à la langue de travail afin de conférer  
aspects de cette affaire. Ils ont notamment suggéré que soient révisées  
avec des membres du personnel de la Commission au sujet de divers  
Des agents du Service des plaintes se sont, par la suite, entretenus  
seraient clairement désignés comme tels.

directives du Conseil du trésor et qu'à cette occasion, les postes bilingues  
reverrait sous peu la classification de tous ses postes conformément aux

ployé. Le plaignant ayant envoyé une note rédigée en anglais, c'est ce qui explique que l'adresse ait été libellée en anglais et que le tampon anglais ait été employé.

Pour éviter tout malentendu à l'avenir, le Commissaire a décidé que son bureau utiliserait dorénavant des tampons bilingues.

## COMMISSION CANADIENNE DES TRANSPORTS

### PLAINTES

#### *Dossier n° 1698—Service aux francophones*

Un francophone demande au Commissaire de faire enquête sur la mise en vigueur de la Loi sur les langues officielles au sein de la Commission. À son avis, celle-ci n'est pas en mesure de servir le public francophone aussi efficacement et promptement que le public anglophone à cause de l'insuffisance de cadres moyens bilingues et du besoin de recourir systématiquement à la traduction.

Le Commissaire a informé le plaignant qu'il étudierait cette possibilité. En fait, son bureau a décidé d'entreprendre au cours de 1973-1974 une étude spéciale sur la Commission.

#### *Dossier n° 1778—Postes unilingues*

Un plaignant attire l'attention du Commissaire sur un avis de concours à un poste de surveillant des services du personnel. Dans cet avis, il est précisé que seule la connaissance de l'anglais est exigée; or, le correspondant estime que les fonctions décrites imposent la connaissance des deux langues officielles.

La Commission a fait savoir au Commissaire que la connaissance de l'anglais était indispensable étant donné que la majorité des gens avec lesquels le titulaire serait appelé à travailler étaient d'expression anglaise et que toute la correspondance interne était rédigée dans cette langue. La Commission a reconnu que la connaissance du français serait certainement utile et a ajouté que, si le Commissaire pensait que le poste en question devrait être désigné « bilingue », elle était tout à fait disposée à en discuter avec lui. Le Commissaire a alors recommandé officiellement que l'avis de concours soit remplacé par un autre exigeant la connaissance de l'anglais et du français.

La Commission a répondu en disant qu'elle avait déjà trouvé un titulaire au poste et qu'elle n'était donc plus en mesure d'appliquer la recommandation du Commissaire. Elle a, en outre, souligné qu'elle

gaît de faire traduire tous les documents dont se servent ses employés dans l'accomplissement de leur travail.

Le Commissaire a tenu à souligner au CN qu'il ne pouvait accepter le fait qu'un employé désireux de recevoir ses instructions en français soit obligé de le demander. Ces instructions devaient, à son avis, être données automatiquement dans la langue de l'employé. Le Commissaire a donc recommandé au CN que toutes les instructions données à un employé de langue française le soient en français, excepté si l'employé a exprimé le désir de les recevoir en anglais. Il a de plus souligné au CN qu'il allait de soi que le même principe s'appliquait aux employés de langue anglaise.

*Dossier n° 1658—Suppression d'emploi*

Un député demande au Commissaire ce qu'il pense de la situation survenue au bureau des télécommunications du CN-CP à Ottawa. Auparavant, le téléphoniste prenait le message du client puis le passait au télétypiste qui le codait sur bande, tandis qu'à présent une machine effectue le codage électronique des messages. Les télétypistes, n'ayant plus de raison d'être, considèrent qu'il n'est pas raisonnable que l'employeur exige que tous les préposés aux nouvelles machines soient bilingues puisque cette mesure prive pratiquement les opérateurs unilingues de leur droit d'ancienneté dans le service, ceux-ci ne pouvant satisfaire aux nouveaux critères d'emploi.

Dans sa réponse, le Commissaire a rappelé les dispositions de la Loi sur les langues officielles et a suggéré diverses manières de les observer. Mais le CN avait déjà trouvé le moyen de maintenir le principe de l'ancienneté tout en fournissant ses services dans les deux langues officielles. Le dossier a été classé.

COMMISSAIRE AUX LANGUES OFFICIELLES

PLAINTÉ

*Dossier n° 1202—Tampou*

Un francophone se plaint de ce que des inscriptions faites au moyen d'un tampou ne figurent qu'en anglais sur une enveloppe du bureau du Commissaire.

Le Commissaire a expliqué au plaignant que tous les tampons du bureau existaient dans les deux langues et étaient employés de la façon suivante : lorsque l'adresse est libellée en français, le tampou français est utilisé et lorsqu'elle est libellée en anglais, le tampou anglais est em-



offert à toute personne désireuse d'en bénéficier et susceptible d'en avoir besoin par la suite.

Le Commissaire a donc invité le plaignant à se porter au plus tôt candidat à des cours de langue seconde en s'adressant à son agent de personnel.

#### *Dossier n° 1101—Discrimination*

Le président d'une association de langue anglaise du Nouveau-Brunswick écrit au président du CN pour critiquer la politique de la société en matière de recrutement et de promotion dans la région de Moncton, car il prétend y voir de la discrimination pure et simple envers les anglophones au profit des francophones. Il fait parvenir copie de sa lettre au Commissaire.

A sa demande, le Commissaire a reçu du CN un double de la réponse adressée par la société au plaignant, dans laquelle celle-ci se défendait de toute pratique discriminatoire; elle a fait remarquer à ce sujet que le Code canadien du travail, et plus particulièrement les dispositions sur les justes méthodes d'emploi, proscrivaient toute discrimination fondée sur la race, la couleur, l'origine nationale, l'âge, le sexe et la situation de famille. Le CN a également rappelé qu'aux termes de la Loi sur les langues officielles, il était tenu de servir les voyageurs dans les deux langues officielles; il invitait enfin le plaignant à rencontrer à Moncton le vice-président de l'Exploitation pour la région atlantique.

Le Commissaire a exprimé ses remerciements au CN pour sa diligente collaboration.

#### *Dossier n° 1253—Communications internes*

Un cuisinier d'expression française déclare qu'il reçoit des directives en anglais du bureau du surveillant de l'Exploitation des services à la clientèle et de l'Approvisionnement du CN à Montréal.

Le CN a informé le Commissaire que ce bureau était principalement responsable du personnel affecté aux wagons-lits et wagon-restaurant, c'est-à-dire les contrôleurs, les garçons de table, le personnel de cuisine, etc. Les instructions aux équipes étaient, selon le CN, en grande partie transmises par téléphone par le personnel préposé à ce travail qui se composait de douze employés dont huit parlaient couramment les deux langues. Le CN a ajouté que si un employé désirait recevoir ses instructions en français, il pouvait obtenir satisfaction.

Le CN a précisé de plus qu'un certain nombre d'instructions courantes concernant le personnel de cuisine étaient données oralement ou par écrit dans les deux langues officielles. C'est pourquoi le CN s'effor-

Tenant compte du fait qu'une décision serait prise sous peu à cet égard, le Commissaire a cru bon de présenter sur-le-champ son point de vue au CN. Il a recommandé à la société de toujours s'identifier dans ses deux langues officielles à l'étranger.

Si, pour une raison quelconque, il n'était pas possible d'enregistrer le nom de la société dans les deux langues dans certains pays, le Commissaire a recommandé que le CN prenne les mesures nécessaires afin de pouvoir utiliser sa raison sociale française dans les pays de langue française et sa raison sociale anglaise dans les pays de langue anglaise.

Par la suite, le CN a informé le Commissaire que le 17 mai 1973, la raison sociale de sa filiale française « Canadian National Railways (France) » avait été changée pour devenir « CN (France) ». De plus, le CN a souligné que les règlements de sa filiale avaient été modifiés en conséquence.

## 2. Problèmes internes

### Dossier n° 933—Cours de langue

Un employé du service des télécommunications du CN au Nouveau-Brunswick écrit au Commissaire au sujet des exigences linguistiques de la société à l'endroit des employés de la région. Il s'alarme du nombre de personnes bilingues embauchées et se demande pourquoi il n'est pas autorisé à suivre des cours de langue.

Le Commissaire a répondu que, dans le cadre de son enquête sur les besoins et les facilités en matière de formation linguistique, il avait obtenu une opinion légale sur la question de savoir si, pour les employés, l'accès aux cours de langue constituait un droit aux termes de la Loi sur les langues officielles. Il fut avisé qu'aucun ministère ou organisme fédéral n'était expressément tenu par la loi de dispenser des cours de langue à ses employés et que, par conséquent, on ne saurait considérer cette formation comme un droit absolu conféré par la loi. Le Commissaire a précisé que selon la politique en vigueur la désignation de certains postes comme bilingues était du ressort exclusif de l'organisme lui-même et qu'il ne saurait intervenir que si cela entraînait, à son avis, une infraction à la loi.

Le Commissaire a cependant souligné l'extrême importance que son bureau attachait à ce que les organismes fédéraux accueillent avec bienveillance toute demande de cours de langue seconde, même si, aux termes de la loi, les employés candidats à de tels cours ne pouvaient, en l'occurrence, se prévaloir d'un droit absolu. Le Commissaire a tout de même souligné que cet enseignement de la langue seconde devait être

Le CN a répondu au Commissaire que le fait qu'un de ses employés ait inscrit « English Please » sur la copie du contrat pouvait signifier chez lui un certain ressentiment à l'égard de la Loi sur les langues officielles. Il a ajouté qu'une telle attitude ne pouvait être tolérée et contrecarrait la politique du CN.

Étant donné les circonstances, le Commissaire a souligné la nécessité pour le CN de donner des directives précises à tous les employés du bureau concerné afin d'éviter la répétition d'incidents de ce genre.

Le CN a accepté la recommandation du Commissaire.

#### *Dossier n° 1043—Affichage*

Un francophone signale au Commissaire que l'inscription unilingue anglaise « C.N.R. courtesy and service » figure des deux côtés du viaduc à l'entrée de Fredricton.

Le Commissaire a informé le plaignant que les autorités du CN lui avaient fait savoir que l'inscription unilingue serait remplacée par une inscription bilingue dès que le pont aura été repeint.

#### *Dossiers n°s 1105, 1113, 1115—Bons de commande*

Un plaignant d'Ottawa attire l'attention du Commissaire sur un article paru dans un journal montréalais affirmant que le CN utilise des bons de commande libellés uniquement en anglais. Deux autres plaintes portent sur le même sujet.

Le CN a fait savoir au Commissaire qu'il utilisait, depuis avril 1972, des formules bilingues. La société a cependant reconnu que des anciens bons de commande unilingues pouvaient être encore utilisés par un de ses bureaux, mais elle a précisé que le service des magasins ne distribuait plus que la formule bilingue dont un exemplaire a été envoyé au plaignant.

#### *Dossier n° 1497—CN France*

Un francophone reproche à la filiale du CN en France de faire sa publicité sous une raison sociale unilingue anglaise.

Dans sa réponse au Commissaire, le CN a indiqué que sa filiale française était enregistrée en France sous la raison sociale « Canadian National Railways (France) ».

Le CN a souligné toutefois qu'il étudiait la possibilité de faire enregistrer la raison sociale de sa filiale française dans les deux langues officielles. Il a précisé que le conseil d'administration de cette dernière examinerait bientôt ce problème.



Please ».

Une association de francophones reçoit du CN à Ottawa une copie d'un contrat de transport (messageries) sur laquelle sont inscrits à côté du nom français de l'association les mots suivants : « English

*Dossier n° 1028—Intolérance*

accent, plutôt que de ne pas faire le moindre effort. Le Commissaire a communiqué à la plaignante le point de vue du CN en lui faisant remarquer que la société se conformait à l'esprit de la loi et à l'intention du législateur.

Le CN a répondu qu'il tenait à ce que les annonces soient claires et intelligibles et, dans la mesure du possible, dépourvues de tout accent désagréable à l'oreille de ses clients. Dans ce but, la société utilisait des enregistrements partout où elle le pouvait et elle s'efforçait d'apprendre à ses agents francophones et anglophones à se servir convenablement de leur langue seconde. Elle ajoutait qu'en fin de compte il valait peut-être mieux que les employés parlent les deux langues, même avec un accent, plutôt que de ne pas faire le moindre effort.

Une anglophone de North Bay (Ontario) se plaint de la piètre qualité des annonces dans les gares du CN; elles sont, dit-elle, souvent faites en mauvais anglais par des préposés francophones. Elle affirme que, dans bien des cas, ces messages sont à peine compréhensibles en raison du fort accent français des agents et ajoute que c'est traumatisant pour les voyageurs de langue anglaise.

Dossier n° 949—Annonces par haut-parleurs

anglais.

A la suite de son enquête, le CN a déclaré au Commissaire qu'il reconnaissait qu'un communiqué rédigé en anglais avait été envoyé par inadvertance au journal concerné et qu'il s'en excusait. Le CN a ajouté qu'à l'avenir une plus grande attention serait apportée à l'envoi de communiqués aux journaux de langue française afin d'éviter la répétition de tels incidents.

La rédaction d'un journal de langue française de l'Ouest se plaint du fait que le CN lui ait envoyé un communiqué rédigé uniquement en

Dossier n° 844—Communiqués de presse

f) *Divers*

tions du Commissaire.

3) s'assurer que l'attente soit toujours aussi courte que possible.

Le CN a donné son accord de principe aux recommandations du Commissaire et lui a fait savoir que toutes les mesures seraient prises pour que son Service de renseignements à Winnipeg fournisse de meilleurs services en français.

Au début d'octobre 1973, le CN a informé le Commissaire :

(1) qu'il avait engagé pour la saison estivale un employé bilingue afin d'augmenter la compétence linguistique du Service;

(2) qu'un des surveillants suivait à ce moment-là un cours intensif de français d'une durée de neuf semaines;

(3) et qu'enfin, on avait ajouté trois postes au Service des renseignements et que ces postes seraient comblés par des employés bilingues. Le CN a précisé que ces postes additionnels permettraient aux autres employés du Service de suivre des cours de langue.

#### *Dossier n° 1052—Edmonton*

Un francophone déclare avoir téléphoné à plusieurs reprises au Service aux voyageurs du CN à Edmonton. Il s'est chaque fois exprimé en français mais sans pouvoir obtenir de réponse dans cette langue. Finalement, on lui aurait fait savoir que personne n'était à même de s'exprimer en français dans ce bureau.

Pour remédier à cette situation, le CN a décidé d'inscrire trois employés à un cours de français à l'école Berlitz. Ce cours devait se terminer vers la fin de l'automne 1972. Néanmoins, pour éviter que le départ éventuel d'un employé n'entrave la bonne marche du service, le CN s'est engagé à ce que le surveillant en poste soit bilingue.

Le CN a tenu à préciser qu'un certain nombre d'employés travaillent dans l'immuable qu'il occupe à Edmonton étaient bilingues et qu'il avait donné des instructions pour qu'on dirige les francophones vers ces personnes. Ceci n'était cependant possible que pendant les heures régulières de bureau. De 16 h 30 à 9 h, du lundi au vendredi, et les samedis et dimanches, ce service bilingue n'était pas disponible.

La Loi sur les langues officielles exigeant que des services bilingues soient offerts au public en tout temps par les institutions fédérales ou les sociétés de la Couronne, le Commissaire a fait au CN les recommandations suivantes :

(1) indiquer clairement aux téléphonistes unilingues de transmettre automatiquement tout appel fait en français à une collègue bilingue sans que l'utilisateur ait à insister;

(2) inviter les téléphonistes anglophones unilingues à s'abstenir de parler anglais aux francophones étant donné que le service doit être fourni automatiquement dans la langue officielle de l'utilisateur;

français soit en place.

attendant que le personnel voulu pour offrir des services appropriés en quand même utiliser ce système, à titre de mesure provisoire, en deux langues officielles, le Commissaire a indiqué au CN qu'il pourrait enregistrés permette d'assurer des services de qualité égale dans les Tout en précisant qu'il ne croyait pas que le système des messages 4) et, enfin, que l'attente soit toujours limitée au strict nécessaire.

automatiquement dans la langue officielle de l'usager;

3) que les employés de ce Service s'abstiennent de parler en anglais aux usagers francophones étant donné que le service doit être fourni

simple en français : « Un instant, s'il vous plaît »;

naissance de cette langue, tout en disant à l'usager cette phrase très ment les appels faits en français à des collègues ayant une bonne con-

2) que les employés anglophones unilingues transmettent automatiquement

1) que les employés du Service des renseignements à Winnipeg identifient au téléphone le Service dans les deux langues officielles;

suivantes:

menter son personnel bilingue à Winnipeg et a fait les recommandations

Le Commissaire a pris bonne note des intentions du CN d'augmenter son personnel bilingue à Winnipeg et a fait les recommandations

qu'on le rappellera dans les minutes qui suivent.

lui demandant ses nom et numéro de téléphone et en lui indiquant

enregistré serait automatiquement transmis dans cette langue à l'usager

fois qu'un employé serait incapable de répondre en français, un message

enregistrer les appels faits en français. Grâce à ce dispositif, chaque

plus, le CN envisageait la possibilité d'utiliser un magnétophone pour

de ses employés la possibilité de suivre des cours de français. De

en recrutant du personnel supplémentaire et en accordant à certains

le CN se proposait d'augmenter le nombre de ses employés bilingues

faits dans cette langue. Toutefois, afin de remédier à cette situation,

de répondre automatiquement en français aux appels téléphoniques

Le CN a admis que le Service était souvent dans l'incapacité

l'appel ne soit transmis à cet employé bilingue.

savoir qu'il faut souvent insister pour être servi en français avant que

seulement un employé bilingue dans ce Service et signale au Commissaire des renseignements du CN à Winnipeg. Elle ajoute qu'il y a

Service, au début de mai 1972, des informations en français du

Une francophone du Manitoba se plaint de n'avoir pu obtenir par

*Dossier n° 1006—Winnipeg*

du CN à travers le pays.

compagnie. Cette dernière opère plusieurs concessions dans les édifices



Un francophone se plaint de n'avoir pu obtenir de service en français au Bureau des tarifs et des réservations du CN à Bathurst. Le CN a informé le Commissaire que tous les employés permanents du bureau étaient bilingues. Il a toutefois ajouté qu'un anglophone unilingue avait travaillé à ce bureau au cours de l'été 1972 afin de permettre aux employés permanents de prendre des vacances. Le CN a rappelé à tous ses employés que les services devaient être fournis automatiquement dans les deux langues officielles.

## Dossier n° 1153—Montréal

Une francophone déclare qu'elle a téléphoné au département des Ventes et Services aux voyageurs du CN à Montréal et qu'elle n'a pu obtenir de service en français.

Le CN a expliqué qu'il avait pour politique de mettre en tout temps à la disposition du public des employés bilingues pour répondre aux appels téléphoniques. Il a ajouté que le jour de l'incident, la permanence durant l'heure du déjeuner n'avait pas été assurée pendant quelques minutes, l'employé bilingue de service ayant quitté son poste avant le retour de son collègue. C'est pour cette raison qu'un commis, dont les connaissances du français étaient limitées, avait répondu à la plaignante. Le CN a réitéré ses directives aux employés de ce département afin que des situations de ce genre ne se reproduisent plus.

## Dossier n° 1245—Ottawa

Un francophone se plaint du fait qu'il n'a pu se faire servir en français à la cafétéria de la gare d'Ottawa et souligne que le menu est rédigé en anglais seulement.

Le CN a répondu au Commissaire que la cafétéria de la gare d'Ottawa était administrée par le concessionnaire CARA Operations Limited. D'après le CN, le personnel de CARA se composait de deux caissiers et de cinq aides-servieurs; l'un des caissiers était bilingue et l'autre avait une connaissance très limitée du français. Quant aux aides-servieurs, trois d'entre eux étaient bilingues. Toutefois, le CN a admis que le menu affiché derrière le comptoir était rédigé en anglais seulement. Il a donc pris les mesures nécessaires pour que soit affiché un menu en français.

De plus, le CN a indiqué que, lors du renouvellement du bail avec CARA en janvier 1973, il veillerait à ce qu'une nouvelle disposition soit ajoutée en vertu de laquelle CARA serait tenue de fournir en tout temps des services dans les deux langues officielles.

Le Commissaire a recommandé au CN d'insérer des clauses semblables dans tous les baux de ce genre qu'il passerait avec cette

étaient imprimés dans les deux langues officielles et il y avait en permanence des employés bilingues.

En ce qui concerne les télécommunications, un service téléphonique spécial, dont le numéro figurait dans l'annuaire de Halifax, fonctionnait 24 heures sur 24 pour les appels en français; aux centres de télécommunications, le degré de bilinguisme n'atteignait cependant pas le niveau souhaité par le CN.

A la gare centrale, des haut-parleurs diffusaient des annonces enregistrées lorsqu'il n'y avait pas d'agent bilingue de service. La société avait par ailleurs encouragé ses employés à suivre des cours de français et se proposait d'intensifier leur participation à ces cours en 1973 afin d'être à même d'offrir des services bilingues au public.

Ces renseignements ont été transmis à la plaignante.

#### *Dossier n° 653—Campbellton*

En janvier 1972, le plaignant essaie, sans succès, d'obtenir des services en français du bureau du CN à Campbellton. En avril de la même année, le plaignant fait un nouvel essai et constate que le service en français laisse à désirer.

Le CN a informé le Commissaire que cinq employés travaillaient à tour de rôle au guichet des billets à la gare de Campbellton. Quatre étaient suffisamment bilingues pour pouvoir communiquer sans problème dans les deux langues officielles avec le public voyageur. Le guichetier principal, quant à lui, ne parlait que l'anglais et ses années d'ancienneté lui assuraient, aux termes de la convention collective, certains privilèges comme celui de choisir sa période de travail, en l'occurrence de 8 h à 16 h.

Le CN a décidé d'ajouter une personne bilingue au personnel déjà en place. Après entente avec le syndicat, le CN a publié un avis de concours en vue de recruter un guichetier bilingue. Entre-temps, des employés bilingues servaient d'adjoint au guichetier principal. Quand ce dernier prendrait sa retraite, son remplaçant devrait être capable de s'exprimer en français.

Le Commissaire a recommandé que la composition et le déploiement du personnel tiennent toujours compte de la nécessité de servir le public dans les deux langues; que l'on donne comme directive aux bilingues de transmettre, automatiquement et sans attendre, à un collègue bilingue tout appel provenant d'un francophone; que l'on invite les unilingues à s'abstenir de répondre en anglais aux francophones étant donné que le service doit être fourni automatiquement dans la langue officielle du client; et, enfin, que l'on fixe comme règle générale de ne pas faire patienter inutilement le public francophone.

venance de Grande-Prairie passaient par son bureau d'Edmonton. Il a dit regretter vivement le manque de courtoisie de l'un de ses employés à Edmonton et a prié le Commissaire de bien vouloir transmettre ses excuses au plaignant.

Afin d'améliorer ses services à Windsor, St. Catharines, Grande-Prairie et Bonnyville, le CN s'est engagé à utiliser le service Zénith pour acheminer les appels en français vers son bureau des télécommunications de la ville de Québec et à annoncer ses services dans l'annuaire téléphonique de ces localités.

Le Commissaire a souligné au CN qu'il ne pouvait accepter l'adoption du service Zénith qu'à titre provisoire. Il lui a recommandé de prendre les mesures nécessaires pour fournir en tout temps des services dans les deux langues officielles là où la demande était importante.

Le CN a répondu que partout où il y avait une demande importante et régulière pour les services en français dans le domaine des télécommunications il ferait tout son possible pour recruter des employés bilingues.

*Dossier n° 1291—Ottawa*

Une association francophone reçoit du Bureau des télécommunications du CN à Ottawa une note inter-service rédigée en anglais apportant des précisions sur un état de compte.

Le CN a vivement regretté cette erreur d'autant plus que son bureau d'Ottawa était parfaitement à même de correspondre avec ses clients dans les deux langues officielles. Pour éviter la répétition d'un tel incident, le CN a rappelé à ses employés qu'ils devaient toujours servir le client dans la langue officielle de ce dernier.

Le Commissaire a recommandé au CN que toutes les notes inter-service envoyées aux clients soient rédigées dans la langue officielle qu'ils utilisent.

*e) Dans les bureaux et gares*

*Dossier n° 1033—Halifax*

Une francophone affirme que le CN n'assure aucun service en français à ses bureaux de Halifax. Elle ajoute que tout renseignement sur les trains, télécommunications et services commerciaux ne peut être obtenu qu'en anglais à l'hôtel Nova Scotian.

Le CN a fait savoir au Commissaire qu'il y avait des employés bilingues à ses trois bureaux de Halifax. A l'hôtel Nova Scotian, toute la signalisation, ainsi que les menus et formules à l'usage du public,



d) *Télécommunications*

qu'au Bureau d'information touristique de l'Île-du-Prince-Édouard d'engager du personnel bilingue partout où cela était possible. Malgré leur bonne volonté, ces organismes ont toujours eu des difficultés à le faire. Le CN, pour sa part, organisait des cours de langue à l'intention de son personnel qui pouvait les suivre. La société a pris des dispositions pour que les journaux locaux de langue française et d'autres publications en français soient mis en vente sur les traversiers.

Le Commissaire a suggéré au CN d'entrer en contact avec le président de la Société Saint-Thomas d'Aquin, de Summerside (I.-P.-É.), qui accepterait volontiers de lui communiquer une liste d'éventuels candidats bilingues aux postes exigeant la connaissance du français.

*Dossiers nos 787, 854, 1154, 1259, 1315, 686, 765, 1022—Charlotte-town, Sudbury, Windsor, St. Catharines, Grande-Prairie, Bonnyville et Edmonton.*

Des francophones de Charlottetown, Sudbury, Windsor, St. Catharines, Grande-Prairie, Bonnyville et Edmonton se plaignent que les bureaux des télécommunications du CN-CP ne sont pas à même d'offrir, en tout temps, des services en français. Ils citent à l'appui les faits suivants : incapacité de transmettre par téléphone un télégramme à son destinataire, obligation d'épeler chaque mot et refus catégorique d'un employé d'accepter un message dicté.

Le CN a précisé qu'à Charlottetown le directeur du bureau, une téléphoniste et un commis étaient tous trois d'origine acadienne et parlaient français. Néanmoins, il a donné des instructions pour que les messages en français à destination de l'Île-du-Prince-Édouard soient transmis par Moncton ou par Québec lorsqu'un employé francophone n'était pas immédiatement disponible à Charlottetown. Quant aux télégrammes en français provenant de l'île, déjà reliée au système Zénith de Québec, les messages étaient transmis par des téléphonistes ayant une bonne connaissance du français. Quant au bureau des télécommunications de Sudbury, le CN a fait savoir qu'il était administré par le Canadien Pacifique. Ce dernier avait affirmé que dans l'ensemble les messages en français y étaient transmis sans problème. Le CN a reconnu qu'à Windsor, St. Catharines et Bonnyville, il n'était pas à même de fournir en tout temps des services en français. Il a également informé le Commissaire que le bureau des télécommunications de Grande-Prairie appartenait à la « Northern Alberta Railways Company » et ne relevait aucunement du Service des télécommunications du CN. Il a souligné, toutefois, qu'après 19 h, les messages importants à destination ou en pro-

affirmé qu'il prendrait les mesures nécessaires afin que tous les écritaux au Château Laurier soient présentés dans les deux langues officielles. Le CN a attribué à la négligence d'un employé le fait d'utiliser du papier à lettre à en-tête unilingue anglais pour répondre à un client franco-phone. Pour ce qui est des factures, il a fait savoir au Commissaire qu'il était entré en communication avec les fournisseurs des machines à facturer afin que les modifications nécessaires soient apportées à l'équipement. Il a manifesté l'intention de corriger cette situation non seulement au Château Laurier mais aussi dans ses autres hôtels, afin qu'à l'avenir les factures soient remplies dans les deux langues officielles. La priorité a toutefois été accordée au Château Laurier. Enfin, la direction de cet hôtel a rappelé à tous les membres de son personnel de servir le public dans la langue officielle de son choix.

### (c) Sur les traversiers

*Dossiers nos 782, 795, 1184—Liaison Nouveau-Brunswick-Ile-du-Prince-Edouard*

Un anglophone s'élève contre la piètre qualité du service offert en français à bord des traversiers assurant la liaison entre Cape Tormentine (N.-B.) et Borden (I.-P.-E.). Il précise que le seul journal en vente était le *Moncton Times and Transcript* alors qu'à son avis le public devrait pouvoir se procurer des journaux français et anglais. Il dénonce également l'unilinguisme anglais du service au restaurant CARA dont aucun des employés n'est capable de modifier ou de corriger la version française du menu affiché.

Une francophone a déposé une plainte de même nature à propos de l'incapacité du CN à fournir des services en français aux restaurants des traversiers et des débarcadères. Un troisième correspondant se plaint, de ce que le menu affiché en français dans le restaurant du traversier *Vacationland*, qui fait la navette entre l'Ile-du-Prince-Edouard et le Nouveau-Brunswick, est absolument incompréhensible.

Le CN a répondu qu'il cherchait par tous les moyens à offrir ses services dans les deux langues sur les traversiers reliant Cape Tormentine et Borden. La signalisation était bilingue et les annonces étaient faites dans les deux langues. À bord comme dans les terminus, les restaurants affichaient des menus rédigés en anglais et en français. En ce qui concerne le *Vacationland*, la société a expliqué que les menus étaient composés à l'aide de caractères mobiles que les vibrations du moteur faisaient parfois tomber; pour résoudre ce problème, elle avait remplacé le tableau d'affichage par des menus imprimés placés sous verre.

Le CN a demandé aux sociétés qui exploitaient les kiosques à journaux et les restaurants sur les traversiers et dans les terminus, ainsi

envoyé au Commissaire un exemplaire de la documentation publicitaire

sur l'hôtel, publiée intégralement en anglais.

Le CN a fait savoir au Commissaire que onze des 85 membres du personnel de l'hôtel étaient bilingues, mais qu'en dépit des efforts déployés par la direction de l'établissement, il ne serait peut-être pas possible d'offrir des services bilingues avant un certain temps étant donné l'énorme difficulté à recruter du personnel francophone à Saskatoon. Le CN a également affirmé qu'il prenait dès à présent toutes les mesures nécessaires pour qu'à l'avenir ses brochures publicitaires soient bilingues.

#### *Dossier n° 1434—Beauséjour*

Une anglophone du Nouveau-Brunswick s'élève contre la politique d'embauche pratiquée par le CN à l'hôtel Beauséjour de Moncton. Elle prétend que la société n'engage que des postulantes bilingues et que sa fille, unilingue anglaise, n'a pu obtenir d'emploi. Elle considère cela comme injuste et discriminatoire.

Le Commissaire a fait remarquer à la plaignante que la Loi sur les langues officielles garantissait des services en français à l'hôtel Beauséjour de la même façon qu'elle affirmait le droit au service en anglais à l'hôtel Reine Elizabeth de Montréal, qui appartenait également au CN, et qu'il était vraiment très difficile de voir de la discrimination dans la poursuite de l'égalité de statut des deux langues officielles d'un bout à l'autre du pays. Bien qu'il n'ait constaté en la matière aucune infraction à la loi, le Commissaire s'était offert d'envoyer à la société copie de la lettre de la plaignante, si celle-ci l'y autorisait.

La correspondante a de nouveau écrit au Commissaire et l'a prié de transmettre ses deux lettres à la société, ce qui fut fait. Le CN a, par la suite, précisé au Commissaire que 62 des 87 employés recrutés par l'hôtel Beauséjour étaient bilingues. De plus, la société l'a informé qu'elle avait elle-même expliqué sa position à la plaignante.

#### *Dossiers nos 1441, 1492, 1530, 1566, 1668—Château Laurier*

Cinq francophones formulent les plaintes suivantes à l'endroit du Château Laurier à Ottawa :

— reçus unilingues anglais remis aux usagers du stationnement; — écritureaux unilingues anglais placés près des vestiaires du « Cock and Lion » et du « Canadian Grill »;

— utilisation de papier à lettre à en-tête unilingue anglais;

— factures bilingues dont le détail des frais n'est libellé qu'en anglais.

Le CN a informé le Commissaire qu'il avait obtenu que le concessionnaire du stationnement fasse imprimer des reçus bilingues. Il a



Un francophone signale au Commissaire que lors d'un voyage effectué le 31 juillet 1972 à bord du « Scotian » entre Bathurst et Montréal, le service était loin d'être bilingue, particulièrement au restaurant.

Le CN a informé le Commissaire qu'il y avait ce jour-là, à bord du « Scotian », quatorze employés qui avaient affaire au public dont cinq étaient parfaitement bilingues. Il a regretté que le plaignant n'ait pu obtenir de services en français à la salle à manger. D'autre part, il a signalé qu'il poursuivait ses efforts afin de s'assurer que les employés qui sont en contact avec le public soient, dans la mesure du possible, à même de communiquer avec celui-ci dans les deux langues officielles. A cette fin, le CN continuait d'offrir à ses employés des cours de français et un certain nombre de postes à bord du « Scotian » et de l'« Océan » avaient été désignés comme bilingues. Ces mesures devaient permettre au CN d'assurer dans ces trains un service conforme aux exigences de la Loi sur les langues officielles.

*Dossier n° 1237—Super-Continental*

Une francophone déclare que juste avant l'entrée en gare d'Ottawa du « Super-Continental » en provenance de Montréal le 16 août 1972, le contrôleur a répété à trois reprises en anglais seulement : « Ottawa station in five minutes ». Plus tard, il aurait ajouté : « This way out, please ».

Le CN a fait enquête auprès des employés de service ce jour-là : personne ne se souvenait de l'incident. Toutefois, ils ont souligné que si les annonces avaient été faites en anglais seulement, c'était tout simplement un oubli de leur part.

Le CN a de plus précisé que son personnel avait reçu ordre de faire les annonces dans les deux langues officielles. Il a donc rappelé aux employés concernés l'obligation d'utiliser les deux langues officielles dans leurs communications avec le public.

*b) Dans les hôtels*

*Dossier n° 1055—Bessborough*

Un plaignant de la Saskatchewan rapporte que le CN n'offre pas de services en français à l'hôtel Bessborough de Saskatoon. Tout en admettant que certaines inscriptions et enseignes sont rédigées dans les deux langues officielles, il affirme devoir toujours s'exprimer en anglais pour se faire comprendre du personnel de l'hôtel. Il a, par ailleurs,

estimait que la situation s'améliorerait.

Le CN a fait savoir au Commissaire qu'il continuait à donner des cours de français à ses employés qui sont en contact avec le public et bilingues étaient de service au wagon-restaurant.

Le retour de Bathurst le 29 février puisque, ce jour-là, quatre garçons des services en français à bord de l'« Océan » lors de son voyage de étonnée, d'autre part, que la plaignante ait eu de la difficulté à obtenir plaignante réclamait d'être servie en français. La compagnie s'est du wagon-restaurant n'ait pas eu recours à ses services lorsque la garçon bilingue. Le CN a regretté que les autres membres du personnel Quant à l'« Océan », il y aurait en tout temps à la salle à manger un vue d'assurer au public des services dans les deux langues officielles. décide d'assigner à la Gare Centrale des employés supplémentaires en Dans sa réponse au Commissaire, le CN a expliqué qu'il avait

remment dans la province de Québec. du public face aux services offerts en français dans les trains, particulièrement que les plaintes qu'il recevait révélaient une insatisfaction grandissante Dans son intervention auprès du CN, le Commissaire a indiqué et à la Gare Centrale de Montréal.

peut se faire servir en français au wagon-restaurant, dans le wagon-lit Montréal dans le train « Océan ». A l'aller comme au retour, elle ne En février 1972, la plaignante fait le trajet Montréal-Halifax-  
*Dossier n° 969—Océan*

tanément dans les deux langues officielles. au CN que tous les services à bord du « Rapido » soient offerts spontanément que ses services soient offerts d'une manière courtoise aussi bien aux Le Commissaire a exprimé l'opinion que le CN devrait veiller à mêmes publications pouvaient être achetées au café du « Rapido ». aux voyageurs à titre gracieux dans le salon-bar et a souligné que ces française (« Le Devoir » et le « Journal de Montréal ») soient fournis déclaré que ses directives exigeaient que des journaux de langue voir servir les clients dans la langue de leur choix. De plus, le CN a affaire avaient une connaissance suffisante des deux langues pour pou-précisé que tous les employés qui auraient pu être impliqués dans cette que des incidents de ce genre ne se reproduisent plus. Toutefois, il a Le CN a informé le Commissaire qu'il prendrait des mesures pour qu'il n'y avait pas à bord du train de journaux de cette langue.

qu'il lui demandait un journal de langue française. Le plaignant déclare unilingue anglais du CN à bord du Rapido (Montréal-Toronto) alors • Un francophone se plaint de l'air arrogant affiché par un porteur

(5) que tous les tampons et timbres dateurs employés par les bureaux de Moncton pour oblitérer, valider ou annuler les formulaires destinés au public aient un texte bilingue ou des symboles d'ici le 31 mars 1973;

(6) qu'à partir du 1<sup>er</sup> janvier 1973, les bureaux de Moncton qui correspondent avec le public disposent en permanence de papier à lettres et d'enveloppes dont les en-têtes et autres mentions d'origine sont rédigés dans les deux langues officielles;

(7) que, d'ici le 31 mars 1973, toutes les cartes de visite utilisées à Moncton soient rédigées dans les deux langues officielles;

(8) que toutes les inscriptions figurant sur les camions de messageries du Canadien National de la région de Moncton soient en version intégralement bilingue d'ici le 31 mars 1973;

(9) que le bureau régional fasse paraître des annonces bilingues dans l'édition du samedi des journaux de langue anglaise de Moncton;

(10) qu'afin de garantir aux groupes linguistiques français et anglais l'égalité d'accès à l'information, toutes les annonces que le bureau régional de Moncton fait passer pour son propre compte paraissent à la fois dans les organes d'information français et anglais;

(11) que les services offerts par le Canadien National au public à Moncton soient fournis automatiquement dans les deux langues officielles au lieu de l'être seulement sur demande expresse.

## PLAINTES

### 1. Service au public

#### a) Dans les trains

Dossiers nos 768, 945, 1016, 1769—Rapido

• Une lettre publiée dans *Le Devoir* du 6 mars 1972 rapporte un incident arrivé à un passager francophone à la Gare Centrale de Montréal. Le plaignant s'apprêtait à prendre le Rapido à destination de Toronto. À la barrière, on lui adresse la parole en anglais puis, au moment d'entrer dans le train, le préposé qui l'accueille ne comprend même pas le numéro de la voiture en français.

• Deux autres plaignants ont signalé cette lettre ouverte au Commissaire en insistant sur la nécessité pour le CN d'offrir des services bilingues.

Les plaignants ont été informés de la politique suivie par le CN à la Gare Centrale de Montréal et dans le Rapido. Le lecteur trouvera à la page 186 du deuxième rapport annuel du Commissaire les détails de cette politique.



gare de Moncton, des services dans les deux langues. Les inscriptions dans l'annuaire téléphonique étaient bilingues, mais le CN ne se présentait qu'en anglais au téléphone. Au service des réservations, chaque équipe comptait au moins un bilingue pour répondre aux appels en français. Sur sept standardistes, quatre étaient bilingues mais ne transmettaient pas toujours les appels en français au personnel bilingue des sections en cause. Les responsables du bureau nous ont assuré que les annonces, à la gare, se faisaient toujours dans les deux langues officielles.

La plupart des formulaires destinés au public étaient bilingues; c'était normalement le cas de 67 formulaires sur 86; 18 autres étaient imprimés en anglais uniquement et un en français seulement. Les quelques brochures étaient rédigées dans les deux langues officielles et publiées simultanément. Sauf quelques rares exceptions, les écritureaux, insignes et autres objets de signalisation étaient bilingues.

Le bureau régional, qui utilisait la radio et la presse locales à des fins essentiellement publicitaires, le faisait surtout dans une seule des deux langues officielles; c'est ainsi qu'il n'avait jamais recours à la radio française (les responsables affirmaient que cela n'était pas rentable). En outre, il faisait passer beaucoup plus d'annonces dans la presse anglaise que dans la presse française.

Sur la foi des renseignements obtenus, l'équipe de recherche a estimé que le Canadien national faisait un effort soutenu en vue de fournir des services bilingues à Moncton, mais qu'il n'essayait pas toujours de les offrir automatiquement dans les deux langues officielles. Compte tenu des lacunes relevées, le Commissaire a formulé les recommandations suivantes :

(1) que le bureau régional de Moncton rassemble, d'ici le 1<sup>er</sup> janvier 1973, des données statistiques sur les connaissances des deux langues officielles de tout le personnel et, en particulier, du personnel dont les fonctions entraînent des contacts avec le public;

(2) que les employés de Moncton qui répondent au poste téléphonique des réservations ou à celui du standard (ou à tout autre poste recevant directement des appels de l'extérieur) déclinent le nom de la société à la fois en français et en anglais;

(3) que le Canadien National mette au point un système qui permettrait que lorsque les appels reçus à Moncton sont transmis aux services internes intéressés, l'employé à qui l'appel vient d'être transmis déclare le nom en indiquant simplement son nom et poursuive la conversation dans la langue de l'interlocuteur;

(4) que tous les formulaires du Canadien National destinés au public (y compris les contrats), utilisés par le bureau de Moncton, soient dans les deux langues officielles d'ici le 31 mars 1973 et, de préférence, en un seul exemplaire bilingue;

Dans le domaine des communications orales, la présence de bilingues dans chaque équipe permettait d'assurer, aux guichets de la

l'acquisition. Au cours des trois dernières années, quatorze employés s'étaient inscrits à des cours de français, la priorité dans le domaine allant aux employés en contact avec le public et en particulier à ceux ayant affaire aux voyageurs. Le bureau prévoyait d'étendre son programme de cours de langue et d'intensifier son programme de maintien de

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## ETUDE SPÉCIALE — MONCTON

Cette étude des Chemins de fer nationaux du Canada, menée en juin 1972 par le Bureau du Commissaire, avait pour but d'évaluer en collaboration avec la direction locale, le niveau des services bilingues offerts au public, à Moncton, siège du Bureau régional de l'Atlantique.

Les activités du Canadien national couvrent essentiellement quatre domaines : l'hôtellerie, les télécommunications, le transport des voyageurs et des marchandises. L'étude a principalement porté sur ces deux derniers points : transport des voyageurs et des marchandises. Pour ce qui est des autres services, il suffit de dire que l'hôtel Beauséjour, lequel devait être ouvert en octobre 1972, prévoyait d'offrir systématiquement tous ses services dans les deux langues officielles, et que les télégrammes rédigés en anglais étaient traités sur place tandis que les télégrammes en français passaient directement par Québec.

(21) que le CN conçoive et mette en vigueur les recommandations contenues dans le présent document sans porter atteinte, de quelque façon que ce soit, à la sécurité d'emploi ou aux possibilités d'avancement du personnel de la Société;

(22) que le CN donne suite aux recommandations précédentes en étroite collaboration avec les syndicats de ses employés.

jugée nécessaire, à toutes les gares visées par le décret n° 1969-1774, en prévision de l'expiration de la suspension le 31 août 1974;

mun la part des employés qui sont en contact avec le public et capables de servir les gens de l'endroit et les voyageurs dans les deux langues officielles;

(16) que la Société fasse en sorte, par tous les moyens qui sont à sa disposition, y compris l'inclusion d'une clause concernant les services bilingues dans les contrats présents et futurs, que les concessionnaires, partout où ils ne le font pas déjà, offrent des services dans les deux langues officielles. Dans le cas de contrats déjà en vigueur où une telle clause n'a pas été insérée, ou de contrats dont le renouvellement n'est pas prévu avant quelques années, que des mesures intérimaires soient adoptées afin de garantir que des services bilingues soient fournis par ces concessionnaires;

(17) que le CN songe sérieusement à intégrer à son programme de formation du personnel l'enseignement de la langue seconde aux employés qui sont actuellement en rapport avec le public, et à ceux qui pourraient éventuellement l'être, dans la mesure où chacun pourrait de temps à autre en avoir besoin;

(18) (a) qu'un enseignement poussé et intensif de la langue seconde, ayant une envergure suffisante pour répondre, dans les meilleurs délais, aux besoins de personnel bilingue de la Société, en utilisant toutes les installations de cours de langues disponibles et réputées offertes par les entreprises privées et publiques, soit mis à la disposition des employés qui ont présentement des rapports avec le public et de ceux qui pourraient être appelés à en avoir;

(b) que l'enseignement soit offert dans les conditions les plus susceptibles de produire des résultats, en acceptant que l'utilisation d'un personnel d'appoint fasse partie du programme de bilinguisme jusqu'à ce que cela ne soit plus nécessaire;

(c) qu'un programme de maintien des connaissances acquises soigneusement élaboré, comprenant des cours et, si possible, des mutations temporaires, soit mis au point dans le but de protéger l'investissement fait en entretenant la compétence bilingue acquise;

(19) à titre d'étape, avant que soient offerts des services bilingues satisfaisants sur les lignes de trains voyageurs, sur lesquelles un tel service n'est pas disponible ou satisfaisant, qu'à l'avenir tous les employés des services combinés voyageurs-marchandises qui ont le plus de droits d'ancienneté et n'ont plus que deux ans à attendre avant d'entrer dans les services voyageurs possèdent, avant d'être affectés aux lignes de services voyageurs, une connaissance suffisante des deux langues officielles pour pouvoir servir convenablement les voyageurs dans les deux langues. Il est de plus recommandé soit qu'ils possèdent cette compétence au moment où ils postulent et obtiennent un poste sur ces lignes, soit qu'ils l'acquièrent par la suite avec les moyens mis à leur disposition par le CN; une « période de transition » de deux ans pourrait permettre aux unilingues de postuler un emploi et de se le voir octroyer à condition que, durant ce délai, ils acquièrent un niveau déterminé de compétence bilingue; le personnel manifestement incapable d'atteindre un niveau acceptable de bilinguisme fonctionnel devrait être proposé à un emploi de rang et de salaire égal qui n'impliquerait pas de contact avec le public;

(20) que toutes les recommandations précédentes qui touchent directement ou indirectement des gares ferroviaires du réseau s'appliquent, dans la mesure



actuellement; que, dans les hôtels, les gares de voyageurs et les terminus des traversiers, les employés demandent aux personnes qui désirent faire rechercher une personne dans quelle langue l'annonce doit se faire;

(10) (a) que dans les bureaux et les établissements qui desservent les voyageurs et un public local d'expression anglaise et française, et qui actuellement, n'observent pas cette pratique, l'on réponde au téléphone et l'on déclina le nom de la Société dans les deux langues officielles, en accordant la préférence au français au Québec et à l'anglais dans les autres provinces;

(b) que, s'il faut donner au téléphone plus de renseignements que ceux prévus au paragraphe précédent, l'employé qui répond au téléphone adopte la langue du correspondant, s'il est bilingue, et dans le cas contraire qu'il connaisse des formules de politesse de l'autre langue officielle de nature à lui permettre de demander au client de bien vouloir attendre jusqu'à ce que quelqu'un puisse converser avec lui dans sa langue;

(c) que dans tous les hôtels du réseau dont l'effectif bilingue est insuffisant, on ait recours, aussi longtemps que cet effectif restera insuffisant, à un système, tel qu'un service central, pour répondre dans les deux langues, de façon convenable et spontanée, aux demandes faites par les clients de l'hôtel sur place ou de l'extérieur, ayant trait aux divers services, installations, activités, etc. de l'hôtel;

(11) que la Société mette au point un système obligeant chacune des régions: (a) à détacher, par période de six mois, un certain nombre d'employés bilingues en vue de les intégrer dans une centrale régionale desservant des aires où il faut communiquer avec le public, et (b) à faire rapport de ces activités au siège social, à intervalles réguliers;

(12) que le CN fasse plus attention, lorsqu'il engage et forme du personnel bilingue, à fournir, en dehors de la province de Québec, des services dans les deux langues officielles aux voyageurs, à bord des trains voyageurs et aux gares, bureaux, terminus et hôtels, où l'on ne fournissait jusqu'à présent aucun service ou des services insuffisants, et qu'il déploie de meilleurs efforts dans ce but;

(13) que les normes minimales fixées pour le nombre d'employés bilingues qui doit se trouver sur les lignes de trains voyageurs, à l'est et à l'ouest de Capreol, soient remplacées par des normes de services linguistiques plus conformes aux exigences de la loi;

(14) que la Société prenne toutes les mesures possibles pour assurer sur toutes les lignes de voyageurs, si tel n'est pas encore le cas, la présence des effectifs bilingues nécessaires;

(15) que tout en engageant des employés affectés aux services des voyageurs et des marchandises: chefs de train, agents de train et aiguilleurs, ainsi que des employés faisant partie des catégories qui ont affaire avec le public, dans les gares et autres établissements du chemin de fer et dans les hôtels, la Société fasse tout son possible pour mettre en place dans tout le pays le plus grand nombre possible d'employés bilingues de façon à porter au maxi-

rage ainsi le public à faire valoir son droit à être servi dans la langue de son choix, ce qui ne serait peut-être pas le cas autrement :

(a) un moyen d'en informer le public pourrait consister, là où cela ne se fait pas encore, à utiliser la grande ou la petite affiche, ou les deux, du Commissaire aux langues officielles « Now You're Talking — Vous avez la parole » ;

(b) un autre moyen serait de placer des écriteaux indiquant « Ici on parle français — English spoken here » suivant le cas. Il existe, sans aucun doute, d'autres techniques possibles. En tout cas, il faudrait non seulement que l'information fournie indique que les services peuvent être offerts dans l'autre langue officielle mais aussi qu'elle précise où on peut en bénéficier ;

(c) que le CN prenne toutes les mesures utiles pour rendre bilingues, dans les meilleurs délais, les écritureaux placés dans les trains, les gares de voyageurs et de marchandises, les gares de voyageurs et les hôtels, hors du Québec, qui sont encore unilingues, et qu'il accélère à cet effet son programme en cours ;

(6) que le CN transforme dans les meilleurs délais en version bilingue le reste de la documentation unilingue destinée au public, notamment les formules, les publications, les dépliants, les brochures, les avis, les affiches, les cartes de visite, les tampons de bureau, les tarifs marchandises de son ressort, les cahiers des charges, les soumissions, les contrats et tous les autres documents techniques, qu'il les présente en un même exemplaire de préférence et selon l'ordre de préséance indiqué à la recommandation 10(a). Il est également recommandé qu'au cas où le CN devrait, faute d'espace ou pour des raisons techniques, continuer à imprimer séparément la documentation dans les deux langues, toutes les précautions soient prises pour garantir l'expédition des deux versions (si ce n'est déjà le cas) lorsque la langue d'élection du destinataire n'est pas connue ;

(7) que le CN renseigne les agents responsables sur la signification profonde de l'article 7 de la Loi sur les langues officielles et leur notifie que la publicité, aussi bien destinée à stimuler les ventes qu'à informer le public, doit être faite sans restriction dans les deux langues officielles pour atteindre également les deux groupes linguistiques par le support des publications et d'autres moyens d'information, pour garantir que le public, partout dans le pays, est bien informé, mais tout en se conformant aux exigences établies aux articles 2, 9 et 10 de la loi concernant l'égalité de statut et la nécessité de fournir des services égaux à la population ;

(8) que la Société maintienne son objectif de garantir que la correspondance et tout autre service destiné au public existent dans les deux langues officielles, en encourageant et en améliorant la rédaction originale des textes dans les deux langues, en contrôlant la qualité des traductions faites au siège ou à l'extérieur pour les régions et, conformément au principe d'égalité dans l'excellence des services linguistiques dans les deux langues, en confiant la traduction, lorsqu'il est possible de le faire, à des traducteurs professionnels ;

(9) que les annonces publiques, de routine ou autres, faites oralement, dans les gares ou les terminus de traversiers, ou à bord des trains et traversiers, le soient dans les deux langues officielles là où ce n'est pas le cas

En substance donc, comme, au moment de l'étude, la société n'avait encore élaboré, pour l'application de la loi, aucune politique globale coordonnée et systématique, et assortie de mécanismes de contrôle, il était probable que, durant plusieurs années à venir, elle manquerait de personnel bilingue pour satisfaire aux exigences du bilinguisme institutionnel sur l'ensemble de son réseau.

Le Commissaire a formulé les 22 recommandations suivantes :

(1) que la Société mette immédiatement en place un programme d'information très étendu et approfondi, destiné au personnel de tous les niveaux, mais particulièrement aux employés qui sont en contact avec les voyageurs, ou un public local composé de francophones ou de groupes des deux langues officielles. Ce programme inclurait des documents imprimés et des communications directes et serait conçu de manière à expliquer les obligations imposées par la loi, à susciter l'intérêt des employés et à favoriser leur compréhension et leur participation active aux efforts faits en vue d'atteindre ces objectifs. Ce programme servirait également à guider les employés au cours de la période difficile de transition en répondant à leurs questions ou en dissipant leurs doutes et leurs inquiétudes légitimes;

(2) que la Société, afin de se conformer pleinement aux exigences de la Loi sur les langues officielles :

- (a) élabore pour l'ensemble du réseau et les différents centres de décision administratifs, des objectifs de mise en œuvre et des plans d'action concernant tous les aspects des services offerts au public;
- (b) programme la réalisation de ces objectifs et plans d'action et en surveille le déroulement;

(c) fasse parvenir aux administrations régionales, dans une perspective d'uniformisation, des directives sur la demande, les mesures et dispositions que suppose l'offre automatique de service dans les deux langues officielles, le niveau de compétence linguistique requis pour différents postes, et autres éléments essentiels;

(3) que le CN, reconnaissant qu'il représente le réseau ferroviaire national du Canada, admette qu'il existe une demande régulière et générale en matière de services bilingues à offrir, dans les trains de voyageurs et dans les hôtels, au public voyageant sur le réseau, et par conséquent, se fixe pour objectif constant d'offrir spontanément pareils services sur l'ensemble du réseau. Il est en outre recommandé que la Société, à titre d'institution fédérale, admette l'existence d'une demande régulière de services bilingues à offrir au public local partout où celui-ci se compose des deux groupes linguistiques. Il faut que toutes les mesures, actuelles ou à venir, prises pour fournir des services bilingues au public, soient considérées et apprécées comme des étapes en vue d'atteindre ces objectifs;

(4) que le CN fasse savoir au public, là où il ne le fait pas encore et où une telle capacité existe déjà ou est en voie de se développer, qu'il est en mesure de fournir des services dans les deux langues officielles et encour-



eux avaient déjà expiré, un autre arrivait à son terme et le dernier devait expirer en août 1974. Sur la foi des renseignements obtenus, l'équipe voyait mal comment, dans les endroits en question, la société allait pouvoir se conformer aux dispositions de la loi à l'expiration de ces ajournements.

### *Personnel*

Certes, la société pouvait remédier sans trop de difficulté à la plupart des insuffisances constatées dans les aspects concrets de la langue de service; en revanche, il lui serait sans doute très difficile d'assurer en permanence aux voyageurs un service bilingue automatique et satisfaisant sans élaborer un plan rationnel et progressif d'action pour satisfaire les besoins en personnel. De prime abord, les objectifs de la société, tels qu'ils étaient, à l'époque, énoncés en termes assez généraux dans son projet de politique de bilinguisme, semblaient tout à fait jouables; un examen plus détaillé, toutefois, montrait combien les résultats étaient illusoires.

A moins de connaître ses besoins en personnel bilingue, dans chaque unité, et les ressources utilisables à n'importe quel moment, la société pouvait difficilement agir de manière organisée en vue de respecter la loi. Les normes minimales relatives au nombre d'employés bilingues par train était définies de façon quelque peu arbitraire et impliquaient un déni de service à une partie des voyageurs.

Comme aucune directive ne précisait comment la demande devait être interprétée, comment les exigences de la loi devaient être transcrites en termes administratifs et quelles mesures il fallait prendre afin de se doter d'une capacité bilingue pour assurer des services dans les deux langues, les prescriptions de la loi et sa mise en application étaient laissées à la libre interprétation des directions locales. Par suite d'un manque de planification, le Québec disposait, semble-t-il, d'un personnel bilingue à 99 p. 100 alors que les autres provinces souffraient d'une pénurie d'employés bilingues. Jusqu'au début de l'étude, la société réussissait difficilement à engager ou à former un personnel bilingue pour fournir aux publics des services dans les deux langues officielles et à utiliser ce personnel de manière efficace. Elle était certainement gênée en cela par les droits acquis des employés, qui pouvaient faire jouer leur ancienneté et postuler des emplois dans des secteurs d'activité et des régions géographiques différents. Néanmoins, cette situation ne faisait que souligner combien il était à la fois nécessaire et souhaitable pour la direction de poursuivre les consultations avec les syndicats avant de choisir une ligne d'action, et non après.

La société demanda, en certains endroits du Canada, à bénéficier de quatre importants reports d'exécution au titre de la Loi sur les langues officielles, ce qui lui fut accordé. Lors de l'étude, deux d'entre

### *Délais d'application*

Bien avant l'adoption de la Loi sur les langues officielles, le CN avait déjà instauré des cours de langue et, lors de l'étude, les résultats obtenus par la société étaient excellents et méritaient d'être soulignés. Compte tenu cependant de l'importance du CN et de la complexité de son organisation et de ses relations d'affaires, le nombre et la fréquence des cours étaient insuffisants et leur accès trop limité. Il n'y avait aucun plan de formation linguistique à l'échelle de tout le réseau et les cours n'avaient aucun caractère systématique. Certains éléments essentiels de planification semblaient avoir été omis dans ce domaine. Ainsi, ce n'est pas en faisant suivre des cours de langue uniquement au personnel de « première ligne » que la société surmontera ses difficultés, étant donné la pénurie de personnel bilingue dont elle souffre en général. Aux yeux des enquêteurs, la tendance de la société à s'occuper en premier lieu des régions où le problème se pose avec le plus d'acuité indiquait qu'elle préférerait opérer à chaud en situation de crise plutôt que s'attaquer au fond des choses. L'enseignement n'était ni assez intensif, ni assez vaste, ni prodigué à un nombre suffisant de personnes pour parer à la demande bilingue sur les lignes principales. En outre, aucun stimulant n'avait été institué, semble-t-il, pour inciter les employés à suivre des cours de langue. La société avait certes fait des progrès notables grâce à la mise au point et à l'introduction d'un cours de 17 jours qu'elle avait ensuite amélioré et mis à jour, mais elle n'avait pas réussi totalement à satis-

faire les besoins en personnel bilingue sur l'ensemble de son réseau.

Il n'a pas été possible d'obtenir des renseignements complets sur la valeur réelle des services bilingues fournis par les concessionnaires dans les gares et les hôtels. Lors de l'étude, il n'existait qu'une seule clause de service bilingue et ceci dans un contrat passé entre un hôtel et une boutique de cadeaux située dans l'enceinte même de l'hôtel. Au cours de l'étude, la direction hôtelière du CN a averti les hôtels que tout contrat ou renouvellement d'accord devait comporter à l'avenir une disposition concernant la prestation de services bilingues.

### *Cours de langue*

du CN avaient, à ce que l'on dit, le personnel bilingue suffisant pour répondre au téléphone en français et en anglais.

soient offerts partout dans les deux langues officielles. Il va sans dire que le niveau et le volume de ces services pourront varier.

### *Imprimés*

La société avait l'intention de « bilinguiser » tous les autres aspects du service : signalisation, formulaires et autres imprimés, mais là encore il y avait loin de l'intention à l'exécution. Les décisions et lignes de conduite étaient inégalement mises en œuvre et il était difficile de savoir à quel point la société jugeait urgent d'appliquer le bilinguisme aux domaines concrets. À un moment donné, la société n'était même pas en mesure de retrouver, pour le soumettre à l'examen de sa propre direction, un rapport détaillé sur la publicité visuelle ou sur la signalisation dans les gares, les hôtels, les bureaux, sur les bacs et dans les terminus, etc.

La publicité était confiée à des agences qui avaient pour consigne de la diffuser dans les deux langues. En l'absence d'un mécanisme de contrôle, il était toutefois difficile de s'assurer que tout se faisait dans ce domaine en conformité avec la loi.

La société faisait une distinction entre le matériel de promotion des ventes et la documentation à l'usage du public. En ce qui concerne le premier, il a semblé que la société n'avait pas traité également les deux groupes linguistiques dans son usage de leurs médias respectifs et ne leur avait pas fourni, peut-être par inadvertance, une information équivalente, sauf quand cela s'avérait commercialement avantageux pour elle.

Le courrier était rédigé dans la langue officielle du destinataire. On avait rarement recours aux services de traduction du siège social et en général on répondait à la correspondance, française ou anglaise, avec la même diligence. Quand une unité manquait de traducteurs professionnels, c'était souvent le personnel de soutien régulier qui devait s'acquitter de cette tâche pour la correspondance. Les traductions étaient parfois médiocres, mais les services linguistiques de la société s'efforcent maintenant de surveiller le travail avec plus de rigueur. Par ailleurs, dans les trains, les gares, sur les bacs, aux terminus et dans les hôtels, la société tentait de remplacer progressivement les annonces en direct par des enregistrements.

### *Communications orales*

L'équipe chargée de l'étude n'a eu connaissance d'aucune directive précise concernant le traitement des appels téléphoniques. Dans les grandes villes, les réservations par téléphone étaient acheminées à un service central capable de traiter les demandes dans l'une ou l'autre des langues officielles. Quant aux hôtels, deux seulement dans tout le réseau



L'équipe a constaté qu'à l'exception de quelques documents écrits, aucun effort soutenu n'avait été fait pour attirer l'attention du personnel subalterne sur la nécessité d'obéir à la loi et les avantages pouvant en découler.

Des documents fournis et des renseignements glanés au cours des entrevues, il ressort assez clairement qu'en dehors des domaines concrets, comme la signalisation, les formules et les publications, la société ne s'était fixée aucun objectif précis à atteindre en matière de bilinguisme institutionnel. Quelques normes minimales avaient été établies, et même chiffrées, en ce qui concerne le nombre d'employés bilingues et leur affectation, mais il n'existait aucun plan détaillé pour satisfaire aux exigences imposées par la loi. De fait, le siège social laissait à l'administration régionale le soin de déterminer les besoins, sans lui fixer au préalable des buts administratifs ou des critères précis sur lesquels se fonder. Si les documents exposant les grandes lignes directrices affirmaient en général la volonté de la direction de se conformer à la loi, en revanche, aucun programme méthodique et cohérent n'avait encore été mis sur pied, au moment de l'étude, pour assigner des objectifs précis (au niveau du personnel, de la capacité linguistique et de la répartition) ou pour traduire cette intention dans les faits. Dans la plupart des secteurs d'exploitation, on n'avait instauré aucun système de contrôle, aucune filière hiérarchique et aucune modalité pour faciliter l'application de la loi. De plus, les compétences linguistiques notées sur les dossiers, et pour certains niveaux d'emplois seulement, reposaient sur la seule évaluation personnelle de ces derniers et n'avaient apparemment pas été modifiées pour rendre compte des résultats d'examen ultérieurs.

La société considérait que ses obligations envers les voyageurs et le public local se limitaient à des domaines bien spécifiques et là où la demande était jugée importante. Les prescriptions de la loi n'étaient ni expliquées ni définies avec précision; le Québec était prioritaire pour la prestation de services bilingues mais, dans l'ensemble du pays, ceux-ci étaient inégalement fournis aux voyageurs. Même si elle avait en général « bilinguisé » ses services au Québec, la société ne semblait pas se rendre compte que les voyageurs de langue française ne limitent pas leurs déplacements à une seule et unique région mais voyagent dans le pays tout entier; en outre, elle ne semblait pas savoir qu'il existe dans chaque province des endroits où la population locale est francophone. Comme la société sert en tout premier lieu les voyageurs, et qu'il est difficile de prévoir avec exactitude les déplacements de ce public, le seul moyen certain d'assurer en permanence la prestation de services bilingues consiste à poser en principe l'existence d'une demande nationale. C'est pourquoi le Commissaire a proposé qu'à titre de mesure pratique de prévention, la société veille à ce que toutes les communications avec le public puissent être bilingues et que les services fournis aux voyageurs

La direction du CN est en grande partie convaincue qu'il est souhaitable et nécessaire de continuer à hausser le niveau du bilinguisme institutionnel de la société, mais envisageait ce processus, au moment de l'étude, comme un phénomène d'évolution et d'expansion ininterrompues ne nécessitant aucun objectif particulier et aucune échéance précise. Nonobstant l'indifférence, voire la réticence de la société, en certains cas, à se doter, hors du Québec, d'une capacité bilingue ou à augmenter la capacité existante, il était manifeste que la direction cherchait à convaincre son personnel, notamment les cadres supérieurs, d'intégrer le bilinguisme aux services que la société offre au public. Pendant l'étude,

### *L'optique de la société*

L'étude avait pour objet l'examen du siège social en tant qu'organe administratif central dont les directives et décisions influent directement sur tous les bureaux et services de la société, tant au Canada qu'à l'étranger. Toutefois, en raison des dimensions du CN et de la diversité de ses activités, elle n'a porté que sur les secteurs des chemins de fer et de l'hôtellerie, et au Canada seulement, car un arrêté ministériel précise qu'à l'étranger ces deux secteurs ne sont pas soumis aux dispositions de la Loi sur les langues officielles (article 10 (2)).

Le deuxième rapport annuel ne faisait qu'annoncer la présente étude entreprise vers la fin de l'année financière 1971-1972 et terminée au cours de l'année de référence. Comme il y était précisé, elle s'inscrivait dans le cadre d'une série d'études menées par le Bureau sur les organismes fédéraux œuvrant dans les transports. Le CN, compagnie nationale de transport, est en effet tout particulièrement tenu, aux termes de l'article 10 de la Loi sur les langues officielles, de fournir des services bilingues aux voyageurs; aussi le Commissaire a-t-il voulu examiner et évaluer les mesures prises par le siège de cette société pour assurer le respect de la loi au sein de toute l'institution.

### *ÉTUDE SPÉCIALE — SIÈGE SOCIAL*

Le français, langue de travail au CN, a fait l'objet de deux instructions de la part du Commissaire. Dans les deux cas, le CN a réagi favorablement et a expliqué au Commissaire les mesures qu'il avait déjà prises et celles qu'il entendait prendre dans ce domaine. Mais il reste beaucoup à faire à cet égard pour que le français et l'anglais aient un statut égal. Le Commissaire entend suivre de près cette situation, notamment dans les bureaux régionaux situés au Québec où il considère que le français doit être la langue normale de travail du CN, comme des autres institutions fédérales.

pas d'effectif bilingue. Il prévoit que la solution de ce problème partiel-  
culier prendra de 15 à 20 ans (sic).

La compagnie a indiqué que tous ses bureaux régionaux et services font présentement un effort pour engager du personnel bilingue qu'elle affectera au service des voyageurs « là où le besoin existe ». Le nouvel hôtel Beauséjour, à Moncton, dont le personnel est en majorité bilingue, est le seul exemple qu'elle ait cité à cet égard.

La plupart des 80 plaintes qui ont été réglées entre le 1<sup>er</sup> avril 1970 et le 1<sup>er</sup> avril 1973, étaient fondées. La presque totalité d'entre elles avait trait à la langue de service. Deux plaintes ont porté sur la langue de travail. Par contre, quelques plaintes déposées par des anglophones avaient pour objet le fait que le CN engageait surtout des employés bilingues à certains endroits.

Les résultats de l'instruction d'une dizaine de plaintes relatives à la pénurie de services en français dans certains trains du CN ont été assez peu encourageants, notamment en ce qui concerne les trains Montréal-Toronto — parcoures où, pourtant, l'absence de services bilingues paraît impardonnable. Au cours de l'instruction d'une de ces plaintes, le Commissaire a rappelé au CN que les plaintes qu'il recevait démontraient l'insatisfaction grandissante du public au sujet de l'aspect linguistique des services offerts dans les trains, particulièrement au Québec.

Une vingtaine de plaintes concernaient l'absence de services en français dans les bureaux des télécommunications CN-CP de différentes villes du Canada. Le CN a reconnu, parfois après de longues discussions et après que furent portées à son attention plusieurs plaintes contre certains bureaux, qu'il n'avait pas le personnel voulu dans plusieurs régions pour fournir des services en français en tout temps. Afin de remédier à la situation le plus rapidement possible, il a eu recours dans ces cas au service téléphonique Zénith. Le CN a de plus indiqué que, partout où il y avait une demande importante et régulière pour des services en français dans le domaine des télécommunications, il ferait tout son possible pour recruter des employés bilingues. L'organisme, par cette attitude, semble de nouveau considérer l'article 10, qui se fonde sur l'universalité présumée de la demande, comme lettre morte.

Les autres plaintes ayant trait à la langue de service étaient très variées : absence de services en français dans différents bureaux du CN, dans les hôtels, sur les traversiers, dans les gares, etc. Dans l'ensemble, cette catégorie de plaintes a reçu une attention immédiate de la part du CN. Le CN a corrigé la situation dans presque tous ces cas et lorsqu'il y a eu des recommandations, il s'est efforcé de les mettre en œuvre.



La compagnie a développé, dans les régions, l'enseignement de

la langue seconde. Des classes permanentes accueillent, à Moncton, les employés qui servent les voyageurs et, depuis le printemps 1973, les employés travaillant dans l'Ouest peuvent également suivre des cours. D'ailleurs, une école a été établie à Winnipeg en septembre 1973 et une autre est prévue pour Vancouver au début de 1974. Le CN a également exprimé son intention d'accorder la priorité aux employés susceptibles de servir les voyageurs. L'application intégrale d'une telle politique doit, comme le souligne la compagnie, être négociée avec les syndicats intéressés.

En ce qui concerne l'existence, dans tout le Canada, de services bilingues aux gares, aux bureaux, aux terminus, aux hôtels et dans les trains de voyageurs, la situation ne semble pas avoir évolué beaucoup, sauf peut-être à Moncton.

Le service téléphonique et les annonces orales publiques ont constitué les principaux secteurs où le CN a appliqué les recommandations du Commissaire. Pour ce qui est des appels téléphoniques, le CN a transmis, le 29 septembre 1972, des consignes au sujet de la méthode que les employés unilingues doivent observer lorsqu'un interlocuteur s'exprime dans l'autre langue officielle; l'enseignement de cette méthode, « là où elle peut s'utiliser », devait être intégré à la formation sur le tas, ce qui a été fait « dans certaines régions » (Moncton est le seul exemple concret que la compagnie ait cité). Le CN, à titre d'essai, utilise présentement, à Winnipeg, un enregistrement; là encore, aucun programme planifié n'est perceptible.

En ce qui concerne les annonces par haut-parleur diffusées dans les gares, il semble que la situation ait peu changé depuis septembre 1969, date à laquelle l'organisme adoptait une ligne de conduite pour 23 gares principales situées au Canada. Le CN a déclaré que dans de nombreuses autres gares secondaires de l'Ontario et du Québec, les annonces directes sont diffusées dans les deux langues officielles et que des enregistrements sur bandes magnétiques, qui doivent être achevés bientôt, amélioreront le service. Il est difficile de voir comment ce service bilingue peut s'étendre à l'extérieur du Québec, et à plus forte raison à tous les autres endroits du réseau, si la compagnie maintient la position qu'elle énonce dans la déclaration suivante : « Lorsque le besoin n'existe pas et que nous n'avons pas les installations nécessaires pour diffuser des annonces bilingues, nous ne pouvons que continuer à diffuser des annonces uniquement en français ou exclusivement en anglais ».

Les annonces faites dans les trains de voyageurs posent un problème au CN. L'organisme a l'intention « de voir quelles sont les autres modalités qu'il pourrait prendre le cas échéant » là où il n'a

tions en émettant constamment des réserves voulant que les services bilingues ne soient assurés que « là où le besoin existe » et « là où nous avons le personnel suffisant ». De telles déclarations — et d'autres d'ailleurs — incitent à croire que la compagnie considère comme acceptable l'absence permanente de services bilingues à certains points de son réseau.

Le CN a fait maintes déclarations de principes, mais si peu explicites quant aux objectifs concrets et aux échéances, qu'elles semblent révéler un certain manque d'effort et d'empressement.

Sur la base des renseignements fournis par le CN lui-même, l'application des recommandations du Commissaire s'est avérée incomplète et mal orchestrée. Moncton semble avoir bénéficié de l'attention de la société. Toutefois, à part les plaintes reçues au sujet des autres villes, le Commissaire n'a pas suffisamment de données sur la situation globale pour indiquer, cette année, la marche du progrès sur l'ensemble du réseau. Le rapport de l'an prochain rendra compte de façon plus complète des changements apportés (ou qui auraient dû l'être) dans l'ensemble des services.

Le Commissaire est conscient du temps et du personnel nécessaires non seulement pour mettre en œuvre ses recommandations sur l'ensemble du réseau, mais encore pour réunir les données demandées dans le cadre du travail de suivi sur l'application de ses recommandations. L'été 1973 a été particulièrement chaud sur le front des relations ouvrières, ce qui n'a évidemment pas aidé à accélérer les choses. Il semble également qu'une démarche fragmentée plutôt que systématique ait ralenti la cadence de la réforme linguistique. Étant donné la complexité et l'étendue de cet organisme, le Commissaire tient à signaler que son évaluation ne saurait afficher un caractère exhaustif. Il ne peut s'agir d'une appréciation « tous azimuts » du CN : les services de télécommunications et de transport routier de la compagnie n'ont pas encore fait l'objet d'une étude spéciale. Le lecteur devra donc considérer ce qui précède simplement comme la première étape d'une évaluation qui se poursuivra et s'élargira au cours des deux prochaines années.

Des réponses fournies à dix recommandations, il est possible de dégager deux domaines principaux où le CN a réalisé des progrès. Tout d'abord, il a intensifié son programme d'information destinée aux employés; il a aussi distribué, aux administrateurs de ses bureaux régionaux, aux directeurs de ses services et aux chefs de langages officiels, accompagné de notes sur les modalités d'application. Les publications, les bandes magnétoscopiques et les réunions figurent au nombre des moyens utilisés dans le cadre du programme. Tout cela constitue, comparé à ce que font d'autres organismes fédéraux, un effort rare et louable.

Les Chemins de fer nationaux n'ont donné aucune suite à la recommandation (étude du siège social, recommandation 3) qui constitue pourtant la clef de voûte de toutes les recommandations concernant le CN, à savoir que la compagnie doit, à titre d'institution au service des voyageurs, reconnaître « qu'il existe une demande régulière générale en matière de services bilingues à offrir ( . . . ) au public voyageant sur le réseau ». Au contraire, le CN a atténué l'effet des recommanda-

tion peut être que partielle. être proposée avec quelques sérieuses réserves; par conséquent elle ne pour appliquer les recommandations résultant des études spéciales doit au Parlement. Enfin, toute évaluation des mesures prises par la société recommandations pour lui permettre de présenter un rapport complet Commissaire des renseignements suffisants sur la suite donnée aux des télécommunications. Par ailleurs, la compagnie n'a pas fourni au ment sur la langue de service et qu'elles ne touchaient pas au secteur Il faut préciser que les deux études spéciales portaient unique- — que celle qui relie Toronto à Montréal.

ligne aussi fréquente — et dont l'importance symbolique est évidente services bilingues dans les trains de voyageurs du CN, même sur une instruit les plaintes qu'il reçoit au sujet de l'absence persistante de portant sur les services ferroviaires et hôteliers du CN et après avoir pour appliquer les recommandations issues de deux études spéciales du Commissaire après un examen des préparatifs faits par la compagnie réalisées jusqu'ici par le CN demeurent décevants. Telle est l'opinion compagnie. Pourtant, malgré quelques améliorations visibles, les progrès souvent bénéficié des conseils et de la collaboration du président de la tion de la terminologie et des écriture. Par ailleurs, le Commissaire a linguistique, de l'information destinée aux employés et de la normalisa- réputation, sur certains plans critiques comme ceux de la formation en effectivement des réalisations importantes, à la hauteur de cette pionniers du bilinguisme avance à grands pas dans ce domaine. Il y a Les parlementaires devraient pouvoir s'attendre à ce qu'un des

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étroitement surveillés »

CHEMINS DE FER NATIONAUX DU CANADA — « Trains

de n'utiliser que des tampons bilingues.

Le Centre national a donc donné comme instruction à son personnel déterminer celle-ci avec certitude.

tares et que, de toute manière, il n'était pas toujours possible de coup de temps à tirer le courrier en fonction de la langue des destina- langues officielles. Mais la direction a soutenu que l'on perdrait beau-



(b) cherche à savoir si l'Office a un effectif bilingue suffisant pour pouvoir offrir automatiquement et en permanence des services dans les deux langues officielles;

#### *Personnel*

(5) que le Centre national des arts:

(a) fasse immédiatement le nécessaire pour que les services infirmiers destinés au public soient assurés, automatiquement et en permanence, dans les deux langues officielles;

(b) prenne les mesures nécessaires, y compris le recrutement, pour que, d'ici au 31 décembre 1973, des services suffisants dans les deux langues officielles soient automatiquement et en permanence assurés au Café et au Restaurant de l'Opéra;

(c) répartisse judicieusement les employés bilingues, déjà engagés ou nouvellement recrutés, et donne au personnel unilingue des directives sur la façon d'assurer poliment et efficacement un service dans les deux langues officielles, et cela jusqu'à ce que l'effectif du Café et du Restaurant de l'Opéra soit suffisant pour assurer un service bilingue automatique et continu.

### *PLAINTES*

#### *Dossier n° 1164—Programmes*

Une anglophone rapporte au Commissaire que le programme distribué par le Centre national des arts d'Ottawa, lors de la représentation d'une pièce de théâtre en français, était entièrement rédigé dans cette langue et ne comportait aucun résumé en anglais.

Le Centre national a informé le Commissaire qu'il avait pour principe d'imprimer les programmes dans la langue de la pièce quand il s'agissait de théâtre, dans les deux langues pour les concerts, récitals, opéras et ballets, et de n'y inclure un résumé que pour les opéras, ballets et pièces classiques dont l'intrigue était si complexe qu'il serait autrement difficile de la comprendre. Tous les programmes des pièces de théâtre présentées au Centre national contenaient effectivement, à une certaine époque, un résumé dans l'autre langue, mais certains spectateurs avaient manifesté leur mécontentement en affirmant qu'il s'agissait là d'une discrimination linguistique.

#### *Dossier n° 1649—Correspondance*

Un membre d'un organisme culturel francophone se plaint de ce que le Centre national des arts ait adressé à son association une lettre portant la mention unilingue « Printed Matter Only ».

L'enquête menée par le bureau du Commissaire a permis de constater que le Centre national disposait bien de tampons dans les deux

(a) insère dans le contrat le liant à l'Office du tourisme et des congrès de la capitale du Canada une clause prévoyant la présentation ou distribution, dans toute la mesure du possible, de brochures d'information et d'autres imprimés semblables dans une proportion égale, en français et en anglais;

(4) que le Centre national des arts:

#### *Contrats*

(c) mette automatiquement à la disposition de tous les organisateurs locaux ses affiches publicitaires et ses programmes dans les deux langues officielles lors des tournées nationales de son orchestre;

(b) s'assure, dans la mesure du possible, que le matériel publicitaire ou d'information affiché ou distribué au Centre national des arts, pour le compte d'autres organismes, soit présenté également dans les deux langues officielles;

(a) assure une importance égale aux versions anglaise et française des annonces et des textes publicitaires et commerciaux;

(3) que pour sa promotion et la publicité qu'il fait, le Centre national des arts:

#### *Publicité et information*

(2) que le Centre national des arts, au cas où des artisans seraient invités à exposer et à vendre leurs œuvres sur son terrain, détermine si des écriteaux et des affiches sont utilisés pour annoncer ces activités et, le cas échéant, prenne les mesures nécessaires pour que ces écriteaux soient conformes aux exigences de la Loi sur les langues officielles;

#### *Écriture*

(1) que le Centre national des arts examine d'ici au 30 septembre 1973 tous ses formulaires et autres imprimés similaires à l'usage du public, en donnant la priorité à ceux qu'utilise le Service des guichets, pour en corriger les fautes linguistiques et mieux assurer ainsi l'égalité de statut des deux langues officielles;

#### *Formulaires*

Le Commissaire a recommandé ce qui suit :

programmes à ses efforts pour se doter d'une capacité bilingue.

reconnu n'avoir pas jugé important ni même nécessaire de combiner ces mieux s'acquitter de leur tâche dans l'optique de la loi. Le Centre a employés en contact avec le public dans le secteur de la restauration de de la langue seconde, qui auraient pourtant permis aux principaux em-cas importants, le Centre avait négligé les programmes d'enseignement service. Les enquêteurs ont constaté à cet égard que, dans un ou deux système visant à recruter des bilingues et à les garder à son Café; il espérait y parvenir vers le milieu de 1973 par une campagne d'une capacité bilingue appropriée le restaurant de l'Opéra et le

l'enquête, mais il faut signaler l'extrême soin qu'apportait le Centre à réaliser l'égalité des deux langues officielles dans la programmation. Les efforts qu'il déployait pour attirer la communauté francophone de la région de la capitale nationale (notamment lors des spectacles en langue française) étaient particulièrement méritoires.

Les secteurs où le Centre national n'avait pas réussi à atteindre le haut degré de qualité et les ambitieux objectifs qu'il s'était lui-même fixés relativement à la prestation de services dans les deux langues, étaient en général le fait d'oublis et d'inattentions et ne procédaient pas d'une volonté ou d'un désir conscient d'observation de la loi. Les lacunes étaient sensibles dans trois domaines : les aspects visuels, l'information et la publicité, et le personnel.

La totalité des formulaires et autres imprimés à l'intention du public existaient, comme il se doit, dans les deux langues officielles, mais ceux à l'usage des guichets pêchaient par le texte et par la présentation. L'ensemble de la signalisation, tant à l'extérieur qu'à l'intérieur du bâtiment, était bilingue, mais les enseignes et affiches des groupes d'artistes exposent et vendent leurs œuvres dans l'enceinte du Centre national des arts pouraient occasionner une infraction à la loi. Les insuffisances relevées dans la présentation et la diffusion des objets utilisés sous l'égide du Centre aux fins de publicité et d'information étaient mineures; ainsi, le texte des annonces publicitaires et commerciales n'était pas toujours aussi complet et aussi bien présenté en français qu'en anglais; de même, l'échantillonnage du matériel et des prospectus d'information et de publicité visibles dans l'édifice du Centre était insuffisant et peu représentatif en français, négligence d'autant plus grave, en ce qui concerne l'Office du tourisme et des congrès de la Capitale du Canada, que celui-ci s'adresse aux voyageurs. Mais par ailleurs, il était clair que dans ses relations publiques, le Centre national des arts s'efforçait scrupuleusement d'assurer l'égalité de statut des deux langues.

La lacune la plus importante à cet égard concernait le personnel employé par le Centre, notamment dans les services de premiers soins et de restauration. Il fut intéressant de remarquer que l'objectif déclaré du Centre était de nommer, dans la mesure du possible, des titulaires bilingues à tous les postes de relations avec le public, objectif qu'il avait déjà effectivement atteint dans certains autres domaines. Sur la base des renseignements fournis par le Centre, les enquêteurs constatèrent qu'en gros, 80 p. 100 des employés ayant affaire au public étaient bilingues, mais qu'en revanche la proportion était loin d'être aussi élevée dans les services de premiers soins et de restauration, secteurs d'autant plus critiques qu'ils avaient fait l'objet de plaintes. Aucun membre du service de premiers soins ne possédait le moindre rudiment de français et, depuis deux ou trois ans, le Centre s'efforçait à doter



Le Commissaire a entrepris une étude du Centre national des arts afin d'examiner les principes, projets et méthodes administratives de cet organisme relatifs à la prestation de services bilingues au public. L'étude a mis en évidence le sérieux avec lequel le Centre, dès sa création, a cherché à offrir ses services dans les deux langues et a pu dans l'ensemble, grâce à ses efforts, respecter l'esprit de la loi et l'intention du législateur. Sauf dans quelques rares cas, le Centre offrait automatiquement et le plus naturellement du monde toute la gamme de ses services en français et en anglais. Les questions d'équilibre culturel et de programmation n'entraient pas dans le cadre de

### ETUDE SPECIALE

Les recommandations relatives aux contrats n'avaient pas encore toutes été observées étant donné que celui qui a été conclu avec l'Office du tourisme et des congrès de la capitale du Canada inc. ne se renouvellera qu'en 1974. Cet organisme a toutefois assuré le Centre qu'il met tout en œuvre pour offrir et présenter, en égale quantité, les documents d'information publiés en français et en anglais. L'Office a également déclaré qu'il comptait suffisamment d'employés bilingues pour pouvoir offrir constamment des services dans les deux langues officielles. Quant au propre personnel du Centre, l'administration indique que le restaurant et le café sont maintenant dotés d'un effectif capable de servir les clients automatiquement et constamment en anglais et en français. D'autre part, le Centre améliorerait les services de son infirmerie en engageant des infirmières bilingues et, au moment où le compte rendu a été soumis, trois des quatre infirmières étaient bilingues.

Le Centre national des arts a déclaré que les écritureaux apposés dans ses locaux étaient bilingues et faisaient l'objet d'un contrôle constant, qu'il a revu et, lorsque c'était nécessaire, corrigé tous ses formulaires, et a ajouté qu'il diffusait dans les deux langues officielles tous les documents d'information émanant de ses bureaux. Malheureusement, on ne retrouvait pas toujours ce même état de choses quand la publicité et la documentation provenaient d'organismes extérieurs et, en général, la question restait à régler.

au Commissaire.

Le rapport que le Commissaire a présenté à la suite d'une étude spéciale faite en mai 1973 comportait cinq recommandations ayant trait au personnel, aux écritureaux et aux imprimés. En octobre 1973, le Centre avait pris des mesures en vue de donner suite à toutes ces recommandations mais trois d'entre elles n'étaient pas encore appliquées intégralement. D'autre part, il a immédiatement corrigé les situations qui ont donné lieu aux quatre plaintes mineures présentées

*La loi.*  
*Le Centre national des arts, comme il sied à un parterre de beaux esprits, a tendance à rectifier avec célérité et aplomb les infractions à*

## APPRECIATION

### CENTRE NATIONAL DES ARTS — « Une nuit à l'opéra »

fréquent du français dans les documents du Cabinet et, partant, dans les rapports de décision.

Quoique les principes du bureau concernant l'aspect linguistique des documents du Cabinet semblaient respecter la Loi sur les langues officielles, le Commissaire a souligné au bureau qu'il y aurait lieu d'améliorer davantage la situation en ce qui concerne l'égalité dans l'emploi de facto des deux langues.

Par conséquent, tenant compte des difficultés soulignées et du fait que la situation s'améliorerait graduellement, le Commissaire a recommandé que, chaque fois que cela était possible, les documents destinés au Cabinet, les décisions du Cabinet et les documents émanant du Cabinet soient fournis ou consignés dans les deux langues officielles.

A la fin de septembre 1973, le Bureau a informé le Commissaire qu'il avait réussi à accomplir des progrès remarquables en ce qui concerne la première partie de la recommandation touchant les documents destinés au Cabinet. Il a souligné que, de plus en plus, les ministres présentaient leurs documents au Cabinet dans les deux langues officielles, en précisant bien la version à considérer comme « originale » pour les besoins des rapports des comités et des décisions du Cabinet. De plus, les ministres ont été invités à remettre les titres de leurs documents dans les deux langues. Cela a permis au bureau de donner une présentation bilingue à l'ordre du jour de toutes les réunions des comités et du Cabinet. Le bureau a ajouté qu'il avait demandé aux ministres de présenter sous forme bilingue, lorsque cela était possible, le résumé et les recommandations de leurs documents destinés au Cabinet. Ainsi, de plus en plus, c'est dans la langue officielle de leur choix que les ministres et hauts fonctionnaires peuvent recevoir les documents de travail destinés au Cabinet et à ses comités. Le bureau espère que ceci permettra d'augmenter l'usage du français.

Le bureau a souligné que la seconde partie de la recommandation concernant les décisions du Cabinet et les documents émanant du Cabinet posait un problème particulièrement aigu. Il s'agissait, selon le bureau, d'établir un équilibre entre le souhaitable et le possible. Il a indiqué qu'il étudierait sérieusement la possibilité d'effectuer d'importants changements dans ce domaine et qu'il en informerait le Commissaire.

sous la forme de décisions consignées. En cela le Cabinet était motivé par la nécessité d'agir rapidement et par le souci de garantir l'exac-  
 titude.

Le bureau a également souligné qu'après mûre réflexion le Cabinet avait décidé que les ministres lui remettraient les documents dans l'une ou l'autre langue, ou dans les deux, comme il leur conviendrait. Pour les documents remis dans les deux langues, il appartiendrait au ministre de préciser laquelle des deux versions constituerait l'original pour l'inscription à l'ordre du jour et la rédaction du rapport. Les questions à l'ordre du jour d'une réunion d'un comité du Cabinet ou du Cabinet lui-même seraient inscrites dans la langue du document ou de l'original. Aucune traduction ne serait faite au bureau ni du document lui-même, ni de l'ordre du jour. En ce qui concerne les procès-verbaux des réunions des comités et du Cabinet, il a été décidé qu'ils seraient dressés dans la langue qui aurait prédominé au cours de la discussion de chacun des sujets. Selon le bureau, le procès-verbal de n'importe quelle réunion pourrait comprendre des passages dans l'une et l'autre langue officielle.

La question de la langue à utiliser pour les « rapports de décision » posait un problème. En effet, un document pouvait être rédigé dans une langue et la discussion s'y rapportant se tenir principalement dans l'autre langue. Dans quelle langue la décision allait-elle être consignée ? Par souci d'exac-  
 titude, la meilleure solution serait de rédiger le rapport de décision dans la langue du document. L'expérience avait prouvé par la suite que c'était bien le cas. Une fois établi, le rapport de décision est transmis dans sa langue originale aux ministres et aux fonctionnaires chargés de prendre les mesures qui s'imposent. Le bureau a ajouté que plus d'une fois il a refusé de fournir la traduction de rapports de décision rédigés en français. Il estimait que les ministres devaient faire le nécessaire pour être en mesure de comprendre et d'appliquer les décisions, quelle que soit la langue dans laquelle elles leur étaient transmises. Le bureau était d'avis que l'égalité de statut des deux langues offi-  
 cielles était scrupuleusement observée en ce qui concerne la rédaction et la diffusion des documents du Cabinet. Toutefois, il a précisé que cela ne signifiait pas pour autant qu'il y ait égalité dans l'emploi de facto des deux langues. Le nombre de documents déposés était toujours plus élevé en anglais qu'en français, ce qui donnait lieu à la rédaction en anglais d'un plus grand nombre de rapports de décision. Néanmoins, le bureau estimait que la situation s'était améliorée depuis février 1970. Le Cabinet avait reconnu alors qu'il faudrait un certain temps pour que le français soit plus largement utilisé dans les documents et au cours des débats et il avait proposé de revoir cette question périodiquement. Le bureau a reconnu que la situation n'était pas encore satisfaisante mais il espérait qu'il en résulterait d'ici un an ou deux un emploi plus



A la lumière de ces considérations, le Cabinet avait conclu qu'il n'était ni possible ni souhaitable d'exiger que ses documents soient rédigés dans les deux langues officielles ou de faire traduire par le bureau les conclusions du Cabinet avant qu'elles ne soient présentées

détaillées, qui devaient être communiquées rapidement. Il y avait plusieurs centaines de décisions, souvent très complexes et très techniques, et les rapports correspondants. De ces réunions résultait du Cabinet et de 310 réunions des comités du Cabinet ainsi que les décisions retenues. Il avait fallu rédiger l'ordre du jour de 78 réunions plus de 100 pages — la moyenne étant d'environ 10 pages — avaient plus de 1 300 documents d'une longueur allant de deux ou trois pages à cours des 12 mois écoulés entre le 1<sup>er</sup> juillet 1969 et le 30 juin 1970, croissant des sujets qui lui étaient soumis. Le bureau a précisé qu'au même temps tenu compte du problème posé par le volume des langues officielles en ce qui concerne ses documents. Le Cabinet avait les diverses méthodes propres à garantir l'application de la Loi sur les langues officielles qu'en février 1970, le Cabinet avait étudié faite aux hauts fonctionnaires respectait les exigences de la loi.

ces documents. Toutefois, il a soutenu que la distribution qui en était aux services à assurer au public puisque celui-ci n'avait pas accès à appliquer les dispositions de la Loi sur les langues officielles relatives à gouverner qui en retenait la propriété. Il a ajouté qu'on ne pouvait être confidentiels et que leur diffusion se limitait au strict usage du Cabinet. Le bureau a informé le Commissaire que les documents du Cabinet rendus des décisions du Cabinet dans les deux langues officielles.

Un fonctionnaire d'expression française se plaint de ce que le bureau du Conseil privé ne distribue pas à son ministère les comptes

*Dossier n° 446—Documents du Cabinet*

## PLAINTES

### BUREAU DU CONSEIL PRIVÉ

officielles. Le Commissaire, tout en reconnaissant le caractère surtout interne du public, officiellement ou officieusement, soit diffusé dans les deux langues officielles.

Le Commissaire a recommandé que tout document mis à la disposition du public, officiellement ou officieusement, soit diffusé dans les deux langues officielles. Le Commissaire, tout en reconnaissant le caractère surtout interne du public, officiellement ou officieusement, soit diffusé dans les deux langues officielles.

La Bibliothèque correspondait avec eux dans cette langue. L'institution a rendu service. Si la majorité des noms de bibliothèques y figurait en anglais, c'était parce que leurs directeurs étaient anglophones et que la Bibliothèque correspondait avec eux dans cette langue. L'institution a assuré le Commissaire que la liste officielle des bibliothèques canadiennes qu'elle projetait de publier paraîtrait dans les deux langues officielles.

La Bibliothèque nationale a précisé au Commissaire qu'il s'agissait d'une liste officielle à usage interne qui, selon toute vraisemblance, avait été communiquée à l'intéressé à titre exceptionnel et afin de lui

sent en français, tous les autres figurent en anglais.

Un membre d'un organisme de langue française reçoit de la Bibliothèque nationale une liste des 190 bibliothèques des ministères fédéraux ainsi que de leurs succursales. Sept noms seulement y apparaissent en français, tous les autres figurent en anglais.

*Dossier n° 1550—Liste des bibliothèques*

## PLAINTÉ

(6) que la Bibliothèque nationale fasse immédiatement les démarches nécessaires auprès du ministre des Travaux publics afin que, sans mettre en péril la sécurité d'emploi du personnel concerné, tous les services du restaurant de la Bibliothèque nationale soient fournis au public dans les deux langues officielles.

(5) que la Bibliothèque nationale fasse imprimer, d'ici au 31 décembre 1973, dans les deux langues officielles, les quelques rares articles tels que fiches, papiers, formulaires, inscriptions, cartes, etc., susceptibles d'être vus par le public, qui sont encore unilingues ou partiellement bilingues, tout en respectant l'égalité de statut des deux langues officielles;

(4) que dorénavant, toutes les publications de la Bibliothèque nationale, y compris les rapports de nature technique, destinées au public, soient disponibles dans les deux langues officielles simultanément, de préférence sous une seule couverture, et que, dans toutes les publications imprimées en versions séparées, on indique, dans l'autre langue officielle, que le même texte est également disponible dans cette dernière langue;

(3) que la Bibliothèque nationale prenne les mesures nécessaires pour assurer, en tout temps, un service téléphonique dans les deux langues officielles;

(2) que, sans mettre en péril la sécurité d'emploi du personnel actuel, la Bibliothèque nationale prenne immédiatement les mesures nécessaires pour assurer qu'il y ait, d'ici au 31 mars 1975, dans chacune de ses entités administratives qui ont des contacts avec le public, le personnel suffisant pour assurer les services dans les deux langues officielles;

(1) que la Bibliothèque nationale, comme il est indiqué dans son document *Politique et directives générales en matière de bilinguisme et biculturalisme* du 7 décembre 1971, émette au plus tôt des directives précises sur les exigences d'ordre pratique qu'il lui incombe de respecter en vertu de la Loi sur les langues officielles;

d'appliquer la loi, a formulé les recommandations qui suivent :

A la lumière de ces constatations, le Commissaire, tout en soulignant le caractère positif des mesures prises par la Bibliothèque en vue

langues ou ne l'étaient pas simultanément, alors que d'autres, tout en étant bilingues, ne respectaient pas l'égalité de statut des deux langues.

Au restaurant, le service ne semblait pas satisfaire aux exigences de la loi. Cette situation découlait en partie du fait qu'une entreprise privée gèrait le restaurant en vertu d'un accord passé avec le ministère des Travaux publics. Toutefois, puisque le restaurant était situé dans l'immeuble même de la Bibliothèque et qu'il offrait des services au public de cette dernière, le Commissaire a demandé à la direction de la Bibliothèque d'intervenir auprès des intéressés pour que le restaurant serve la clientèle dans les deux langues officielles.

Enfin, quelques lacunes mettaient en évidence le besoin de directives précises : tous les documents n'étaient pas publiés dans les deux langues officielles dans le domaine du personnel de la Bibliothèque que des mesures correctives s'imposaient. En effet, au moment de l'étude, certains des bureaux en rapport avec le public n'étaient pas en mesure de fournir des services dans les deux langues. Des 263 employés ayant des contacts avec le public, 166 étaient unilingues et 97, bilingues. Quarante employés en tout suivaient des cours de langue seconde dont quinze qui n'avaient pas de contacts avec le public; des 166 unilingues qui avaient de tels contacts, seulement 25 suivaient des cours de langue. Les chercheurs ont noté que, de façon générale, le service au téléphone était excellent, la standardiste principale identifiant la Bibliothèque dans les deux langues de même que les quelque 25 postes de contrôle. Cependant, un manque temporaire de personnel bilingue pouvait parfois créer des problèmes. C'était, semble-t-il, le cas du bureau de la Direction du catalogue où seule la préposée au poste de contrôle était bilingue et où, par conséquent, en son absence, le service téléphonique était unilingue.

L'étude a révélé que la Bibliothèque nationale a fait, dans l'ensemble, de très grands efforts pour respecter la loi. En fait, le groupe chargé de l'étude n'a relevé que quelques faiblesses, au demeurant faciles à corriger.

L'objectif de cette étude était de déterminer dans quelle mesure la Bibliothèque nationale se conformait aux exigences de la Loi sur les langues officielles dans ses rapports avec le public.

## ÉTUDE SPÉCIALE

Seulement quatre plaintes ont été déposées contre la Bibliothèque-que entre le 1<sup>er</sup> avril 1970 et le 1<sup>er</sup> avril 1973; les quatre avaient trait à diverses catégories d'imprimés. L'organisme régla rapidement l'une d'entre elles; le Commissaire formula, quant aux autres, trois recommandations auxquelles la Bibliothèque n'a pas immédiatement donné suite. Des solutions satisfaisantes furent néanmoins trouvées dans les trois cas.



prises.

les deux langues. Le Commissaire vérifiera les résultats des mesures ministère des Travaux publics, pour que les services soient fournis dans relative à la cantine, elle s'est adressée à l'organisme responsable, le billes. Enfin, conformément à une recommandation du Commissaire recensement les postes exigeant le bilinguisme et en les dotant de titulaires Bibliothèque prévoit l'application intégrale de cette recommandation en pouvoir assurer ses services dans les deux langues officielles. La l'assurément de bilingues aux postes en contact avec le public afin de la recommandation exigeant qu'on affecte, d'ici le 31 mars 1975, sur- nisme a pris des mesures administratives provisoires visant à appliquer qui respectent l'égalité de statut des deux langues officielles. L'orga- publications, de cartes, d'écriteaux, d'insignes, etc.) selon des modalités (que ceux-ci soient fournis par téléphone ou par l'intermédiaire de cation immédiate de trois recommandations ayant trait à divers services langues officielles. Les directives données exigeaient notamment l'appli- des directives précises sur ses obligations au regard de la Loi sur les suite à la recommandation voulant qu'elle distribue à son personnel En octobre 1973, la Bibliothèque faisait savoir qu'elle avait donné

*aux conventions mineures à la loi.*  
la langue de service. Elle a en outre remédié d'une façon satisfaisante pres à lui permettre de satisfaire aux dispositions de la loi relatives à missaire en avril 1973, se procurant ainsi rapidement les moyens pro- Elle a donné suite aux six recommandations formulées par le Com- d'une étude spéciale.

*La Bibliothèque a en général collaboré avec empressement pour appliquer les recommandations du Commissaire formulées à la suite*

## APPRECIATION

### BIBLIOTHÈQUE NATIONALE — « Fahrenheit 451 »

Le Commissaire a transmis ces précisions au plaignant.

regu l'assurance qu'il continuerait à être ainsi.  
Banque s'étaient toujours abstenus par le passé, et le Gouverneur avait composition de l'exécutif. Mis à part deux cas, les représentants de la que celles concernant les règlements, l'éligibilité des membres et la honoraires participent à des votes sur des questions aussi importantes cotisations annuelles. Il a souligné qu'il serait malvenu que des membres sentants de l'institution, laquelle payait néanmoins régulièrement les- Celui-ci a confirmé le statut de membre honoraire des trois repré- officiellement les faits au gouverneur de la Banque.  
n'avaient pas voix délibérative, le Commissaire a toutefois exposé

rejet de sa résolution.

Bien que les organismes privés ne relèvent pas de la compétence du Commissaire et en dépit du fait que les représentants de la Banque du Canada, en leur qualité de membres honoraires de l'Association,

Un francophone de Montréal rapporte au Commissaire que les représentants de la Banque du Canada se sont abstenus de voter sur une résolution qu'il avait présentée à une réunion de l'Association de Montréal des négociants en obligations, en vue de conférer au bureau de l'Association un caractère véritablement bilingue et biculturel. Selon lui, les représentants de la Banque du Canada auraient dû appuyer cette proposition qui allait dans le sens de la politique officielle du gouvernement; il ajoutait que leur manque d'enthousiasme avait contribué au

Dossier n° 970—Réunion de l'Association de Montréal des négociants en obligations

## PLAINT

## BANQUE DU CANADA

Le bureau de l'Auditeur général n'avait pas encore officiellement convié les organismes fédéraux qui le désiraient à lui présenter leur comptabilité en français, puisque, de toute façon, ils en avaient la possibilité. Le bureau faisait tout son possible pour confier les vérifications des comptes en français à des agents bilingues. Cet aspect de la question ferait d'ailleurs l'objet d'une étude ultérieure dans le cadre de l'application par le bureau des programmes gouvernementaux relatifs aux langues officielles.

## Recommendation n° 3

étaient conservés au bureau régional de Montréal. L'Auditeur général espérait étendre bientôt cette pratique aux fonctions de vérification du bureau de Montréal liées aux responsabilités relevant de son bureau à Ottawa; il souhaitait également adopter les mêmes mesures au siège d'Ottawa.

avaient été, au cours de l'année écoulée, rédigées en français. Il n'avait pas été possible, dans l'immédiat, d'en faire autant pour les documents de travail, mais, en 1973-1974, le personnel de Montréal aurait la possibilité de préparer dans l'une ou l'autre des deux langues officielles les documents destinés aux sociétés de la Couronne et aux organismes dont les sièges se trouvaient à Montréal et à Québec et dont les dossiers étaient conservés au bureau régional de Montréal.

Le bureau n'avait pas encore donné à tous ses employés d'instructions formelles quant à la langue de travail, mais, au bureau régional de Montréal où le chef de service était bilingue, toutes les notes de service

## *Recommandation n° 2*

Toutes les instructions et directives interprétées comme incluant des questionnaires ou programmes de vérification faisaient l'objet d'une étude de mise à jour en vue de les rendre bilingues. Un certain nombre de ces questionnaires et programmes étaient en voie d'être traduits pour être ensuite publiés sous forme bilingue. L'administration s'était donnée une capacité bilingue et sur demande les employés pouvaient obtenir des services en français.

## *Recommandation n° 1*

3) qu'afin d'accroître les occasions offertes aux employés du bureau de l'Auditeur général de travailler en français, cet organisme invite formellement toutes les institutions fédérales à établir en français leurs comptes soumis à vérification, si cela leur convenait.

Le Commissaire a reçu de l'Auditeur général, au début d'octobre 1973, le rapport relatif aux suites données à ses recommandations :

1) que toutes les instructions et directives à l'intention du personnel et les services mis à sa disposition soient donnés et fournis dans les deux langues officielles;

2) que soient données des instructions dans le but de permettre au personnel, autant que faire se peut, de rédiger les notes de service, analyses, rapports et autres documents de même nature dans la langue officielle de son choix;

Dans les circonstances, le Commissaire a recommandé ce qui suit à l'Auditeur général :

Au cours du printemps 1972, le plaigant a informé le Commissaire du fait qu'à part le bulletin, désormais bilingue, du bureau de l'Auditeur général, un grand nombre d'instructions et de directives, tout comme les services au personnel, n'étaient toujours donnés et fournis qu'en anglais. La plainte révélait par ailleurs que la situation restait inchangée au bureau de l'Auditeur général, pour ce qui était de la langue de travail, et que, comme par le passé, les rapports devaient être rédigés en anglais. A la connaissance du Commissaire, aucune instruction visant à modifier cette pratique n'avait été donnée par l'organisme.



Le poste de gestion du personnel de sorte que le prochain titulaire soit le deuxième poste qui exigerait un titulaire bilingue, ou en offrant dans les plus brefs délais des cours de langue à l'administrateur en place.

Le département a répondu qu'il entendait créer un deuxième poste bilingue dès le début de 1973. Un peu plus tard, le département informait le Commissaire que le poste avait été comblé.

#### *Dossier n° 934—Correspondance*

Un représentant francophone d'une compagnie d'assurances à Montréal fait grief au département de lui avoir fait parvenir une commande de rapports accompagnée d'une lettre rédigée en anglais.

Le département a fait parvenir une lettre d'excuses au président de cette compagnie et a informé le Commissaire qu'il s'agissait d'une erreur, sa politique étant de servir le public dans la langue officielle de son choix.

#### *Dossier n° 1528—Avis de concours*

Un plaignant fait grief au département de stipuler dans un avis de concours pour un poste de superviseur des archives centrales que la connaissance de l'anglais est essentielle. Le plaignant est d'avis que le poste devrait exiger soit la connaissance des deux langues officielles, soit la connaissance du français ou de l'anglais.

L'instruction a révélé que la connaissance de l'anglais était essentielle puisque le département communiquait principalement en anglais avec les compagnies d'assurances. Le Commissaire a estimé qu'en l'occurrence on avait dûment tenu compte des dispositions de la Loi sur les langues officielles, étant donné que le département offrait déjà des services bilingues.

### AUDITEUR GÉNÉRAL

#### PLAINTES

#### *Dossier n° 497—Langue de travail (Suivi)*

Le Commissaire avait déjà exposé cette plainte à la page 172 de son deuxième rapport annuel : elle portait sur l'impossibilité de travailler en français au bureau de l'Auditeur général.

Les remarques qu'elle a inspirées à l'Auditeur général et les premiers développements de l'enquête du Commissaire figurent également au deuxième rapport.

Le Commissaire a répondu que si l'on voulait véritablement faire du français la langue de travail des unités de langue française les anglophones unilingues qui y étaient affectés devraient pouvoir apprendre le français, quelle que soit leur catégorie professionnelle.

Le ministère a communiqué au Commissaire les grandes lignes d'un plan visant à faire suivre des cours de langue à quatre-vingt-dix unilingues en poste à l'Atelier principal et à la Direction du génie de l'Imprimerie. Il a expliqué, en outre, qu'avant de proposer un tel plan, il lui avait fallu étudier soigneusement les conséquences des transformations d'ordre technique, réviser sa politique d'achat et faire approuver par le Conseil du trésor son plan quinquennal de recrutement. Un premier groupe d'employés, dont le plaignant, devait s'inscrire à un cours de langue en juillet 1973.

*Dossier n° 1734—Services de l'imprimerie*

Un membre d'un organisme culturel de langue française se plaint que la librairie d'Information Canada, à Ottawa, lui ait expédié des exemplaires du deuxième rapport annuel du Commissaire aux langues officielles dans un emballage sur lequel avait été apposée une étiquette ne portant que les mots « Second Annual Report ».

L'Imprimerie a informé le Commissaire qu'au moment de l'emballage et de l'expédition du premier tirage du rapport, les stocks d'étiquettes normalement employées étaient momentanément épuisés. Il avait donc fallu en imprimer d'autres sur papier gommé. Le titre du rapport apparaissait en anglais sur l'une des couvertures du volume, en français sur l'autre; selon toute probabilité, l'exemplaire mis à la disposition du typographe lui avait été remis du côté de la couverture anglaise et celui-ci avait reproduit le titre qu'il avait sous les yeux.

Des étiquettes bilingues ont été apposées sur les emballages utilisés pour l'expédition de l'édition suivante.

ASSURANCES

PLAINTES

*Dossier n° 630—Dotation en personnel*

Le plaignant reproche au département de ne pas offrir de services adéquats en français dans le domaine de la dotation en personnel.

Le Commissaire a étudié la nature des services rendus par l'administrateur du personnel et fut d'avis que les fonctions en question exigeaient une connaissance des deux langues officielles. Il a donc recommandé au département de modifier les critères de sélection pour

agent francophone du service des réservations est libre. Il affirme que cela arrive fréquemment.

Le ministère a précisé que le personnel en question était détaché d'Air Canada, à titre permanent, auprès du Service central des voyages et que la plainte était la seconde du genre alors que ce service recevait de 600 à 1 000 appels par jour. Parmi les agents affectés aux réservations, il y en avait douze bilingues et huit anglophones unilingues dont deux devaient prendre leur retraite très bientôt. Le personnel comprendrait désormais quatorze bilingues et six unilingues.

Le ministère a assuré le Commissaire qu'il s'efforçait d'offrir des services dans les deux langues officielles et a signalé que, dans l'ensemble, il s'estimait satisfait des résultats obtenus.

#### *Dossier n° 1348—Postes unilingues*

Une plaignante, dont les connaissances en anglais sont restreintes, postule un emploi de sténodactylo au ministère. Elle entend dire que cet organisme embauche du personnel bilingue et unilingue, mais que seules les anglophones peuvent accéder à un poste unilingue. Elle estime avoir été traitée injustement puisqu'elle s'est vu refuser un emploi qu'on lui aurait donné si elle avait été anglophone.

Le ministère a pensé que, parce qu'il n'y avait pas de postes vacants pour des candidates unilingues françaises lorsque la correspondante s'était présentée, celle-ci avait conclu à tort que les postes unilingues étaient réservés aux anglophones.

L'enquête du Commissaire a en effet révélé que le ministère embauchait, selon ses besoins, aussi bien des francophones que des anglophones unilingues. À certaines époques, des postes étaient accessibles à l'une de ces catégories et pas à l'autre.

#### *Dossier n° 1728—Cours de langue*

Un anglophone appartenant à une unité de langue française de l'Imprimerie à Hull (Québec) envoie au Commissaire copie d'une lettre qu'il avait adressée à son conseiller en bilinguisme, dans laquelle il exprimait ses réserves sur les principes appliqués en matière de formation linguistique. Il y soutenait que les cours de langue étaient offerts au personnel selon le rang du poste sans qu'il soit tenu compte ni des désirs ni des aptitudes des employés.

Le ministère a fait savoir au Commissaire qu'à l'heure actuelle, les surveillants qui avaient besoin de cours de langue allaient les suivre aux écoles de langues pendant les heures de travail et que les frais de scolarité entraînés par les cours de langue qu'ils suivaient dans leur temps libre étaient remboursés aux employés de la catégorie de l'exploit-



Un correspondant se plaint de ne pouvoir obtenir de service en français lorsqu'il appelle le Service central des voyages pour réserver une place à bord d'un avion à destination de Québec et de ce qu'il ait à donner son numéro de téléphone afin qu'on puisse le rappeler dès qu'un

*Dossier n° 1256—Service central des voyages*

Il était trop tard pour demander au ministère d'émettre de nouveaux feuillets pour l'année 1972. Toutefois, le Commissaire a souligné aux plaignants que s'ils tenaient à en recevoir de nouveaux, remplis en français, ils pouvaient toujours s'adresser à la Division centrale de la paye du ministère ou encore communiquer avec lui en lui donnant les détails nécessaires et en l'autorisant à faire une telle démarche en leur nom auprès du ministère.

Le Commissaire a déclaré au ministère qu'il était heureux d'ap-prendre que toutes les nouvelles formules relatives à l'impôt seraient remplies dans les deux langues officielles. Il a estimé que ceci répondrait aux exigences de la Loi sur les langues officielles. Toutefois, il était d'avis que le ministère avait enfreint la loi en ce qui concerne les feuillets pour l'année 1972. Étant donné qu'il était apparemment impossible, faute d'espace, de les remplir dans les deux langues, le ministère aurait dû remplir en français les feuillets destinés aux francophones et en anglais ceux destinés aux anglophones.

Le ministère a de plus donné l'assurance au Commissaire qu'il tiendrait compte des suggestions faites par un des plaignants en ce qui concerne la qualité du français des documents émis par la Division centrale de la paye et qu'il se proposait d'entreprendre l'examen de ces questions d'ordre linguistique. Il a demandé au Commissaire de remercier le plaignant de ses suggestions.

Quant aux messages spéciaux qui apparaissaient sur ces formules (par exemple, « UNITED APP »), il n'y avait pas suffisamment d'espace pour les inscrire dans les deux langues officielles. Le ministère a souligné que, par conséquent, il demanderait qu'on lui fournisse pour l'année 1973 de nouvelles formules T4, TP4, T4A et TP4A qui lui permettaient de se conformer entièrement à la politique gouvernementale en matière de bilinguisme.

Le ministère a admis que la désignation de l'employeur figurant sur ces formules aurait dû être bilingue. Toutefois, il a précisé que les cadres du ministère n'avaient découvert cette irrégularité qu'après l'envoi des formules.

Le ministère a reconnu que la Division centrale de la paye avait rempli en anglais seulement les feuillets T4 et TP4 destinés aux fonctionnaires ainsi que les feuillets T4A et TP4A envoyés aux fonctionnaires retraités.

ce genre en français d'autant plus que l'Imprimerie nationale a été

désignée comme unité de langue française. Le ministère a informé le Commissaire qu'il s'agissait d'une erreur administrative et que les Services du personnel de l'Imprimerie avaient communiqué avec le plaignant afin de lui donner satisfaction.

- Le plaignant fait grief au ministère de ne pas fournir à ses employés la version française des manuels de vérification générale et de vérification des coûts.

Le ministère a reconnu qu'il était important d'offrir aux employés francophones des manuels rédigés dans leur langue mais a déclaré qu'il éprouvait de la difficulté à faire traduire ces textes techniques auxquels on apportait de fréquentes modifications.

S'appuyant sur le droit des fonctionnaires de travailler dans la mesure du possible dans la langue officielle de leur choix, en vertu de l'article 2 de la loi et du fait que le Bureau du Service des vérifications (secteur Québec) était une unité de langue française, le Commissaire a recommandé au ministère de faire traduire au plus tôt, chapitre par chapitre si nécessaire, le manuel de vérification générale et celui de la vérification des coûts.

Il a également invité le ministère à étudier la possibilité de préparer et de faire circuler simultanément, dans les deux langues officielles, les modifications apportées à ces manuels.

Le ministère a répondu que le Bureau du Service des vérifications avait préparé une traduction du chapitre 10 du manuel de la vérification des coûts et comptait la distribuer dans un mois. De plus, certains responsables devaient rencontrer des membres du Bureau des traductions afin de mettre sur pied un programme de traduction.

*Dossiers nos 1131, 1719, 1741, 1750, 1754, 1756—Documents d'impôts*

- Un francophone reproche au ministère d'avoir utilisé un tampon unilingue anglais pour endosser un chèque d'impôt déposé au compte du Receveur général du Canada. Le ministère a informé le Commissaire qu'un de ses représentants avait communiqué avec un fonctionnaire du Revenu national qui devait faire le nécessaire pour qu'il y ait dans tous les bureaux de l'impôt des tampons bilingues pour endosser les chèques.

- Plusieurs fonctionnaires d'expression française déclarent avoir reçu de la Division centrale de la paye du ministère des feuillets T4-1972 et, dans certains cas, des feuillets TP4-1972 remplis en anglais seulement. En outre, un fonctionnaire se plaint de la mauvaise qualité du français sur les chèques de paye et leurs talons ainsi que sur certains autres documents émis par la Division.

## APPRECIATION

Une seule des 20 plaintes reçues par le Commissaire nécessitait une recommandation de sa part. Il s'agissait de la version française des manuels de vérification générale et de vérification des coûts utilisés par les employés du gouvernement. La plupart des autres plaintes avaient trait aux services offerts au public et ont été réglées sans délais excessifs. Le ministre considère le niveau de son bilinguisme institutionnel comme suffisant.

En novembre 1973, le ministre a fourni, en réponse au questionnaire du Commissaire, les renseignements suivants sur son programme de développement du bilinguisme.

La coordination est assurée par le directeur des Programmes de bilinguisme et, bien qu'il n'y ait pas d'évaluation officielle de l'exécution, il semble que des contrôles de gestion soient effectués en consultation avec le directeur général des Opérations régionales, et qu'un membre du service du directeur des Programmes de bilinguisme visite périodiquement les bureaux régionaux afin de veiller à l'observation de la politique de bilinguisme. Il n'existe pas à cet égard de délais puisque, de l'avis du ministre, la mise en œuvre de la Loi sur les langues officielles est « terminée ». Toutefois, est-il précisé, la désignation des postes bilingues aura été effectuée d'ici 1978.

Certains bureaux dans la région de la capitale nationale et les bureaux de Québec et de Montréal ont traditionnellement travaillé en français. Les manuels, les communications internes et les cours de perfectionnement seraient bilingues. Le ministre affirme que le travail de supervision se fait en français ou en anglais, selon les besoins, et il ajoute que les sections de la Paye et des Pensions dans les « régions bilingues » sont dotées d'un personnel compétent pour répondre aux demandes de renseignement dans les deux langues officielles. D'ailleurs, ajoute-t-il, tous les services sont fournis au public dans les deux langues officielles « dans le cours normal des choses ».

## PLAINTES

*Dossiers nos 946, 1088—Communications internes*

• Un employé de l'Imprimerie nationale, organisme qui relève du ministère, reçoit de ce dernier une lettre de caractère administratif rédigée en anglais. Il se dit en droit de recevoir les communications de



demandé si les cours de formation professionnelle seraient offerts dans la langue officielle de l'employé et si le personnel unilingue anglophone recevrait une formation de base en langue française, pour que ses membres apprennent quelques phrases courtoises afin d'être en mesure de répondre dans un français élémentaire aux questions posées. Il se demandait, en outre, si la société prévoyait utiliser des talons de chèque bilingues comme les administrations fédérales l'avaient déjà fait.

Air Canada a répondu que les services linguistiques d'Air Canada et du CN, dont la fusion avait subi certains retards, devraient commencer à fonctionner conjointement vers la fin d'avril 1973. Ceci améliorerait sans doute les services de traduction dans les deux organismes. Quant à la convention collective la société n'envisageait, pour divers motifs, que de faire la traduction de celle qui entrerait en vigueur en août. Au sujet des cours de formation professionnelle donnés à Montréal, Air Canada signalait qu'ils étaient offerts en français dans 90 p. 100 des cas mais que, lorsque certains agents anglophones unilingues venant d'autres secteurs de la Région Est les suivaient à Montréal, les cours correspondants étaient forcément donnés en anglais. Tous les employés unilingues de Montréal et d'Ottawa avaient suivi au moins 120 heures de cours afin de se familiariser avec la langue française. Le service des finances d'Air Canada, après avoir examiné la question des talons de chèque, avait conclu que leur modification poserait certains problèmes techniques à leur traitement informatique, en raison des dimensions et de la configuration du chèque-feuille de paie et de la multiplicité des codes des retenues. La question était néanmoins encore à l'étude et Air Canada a demandé qu'un spécimen du chèque distribué aux fonctionnaires fédéraux lui soit envoyé.

Quelque temps plus tard, le vice-président du service des finances de la société a informé le Commissaire des frais considérables qu'en-trainerait l'impression de chèques bilingues. Il se demandait si le Commissaire appuierait une demande adressée au Conseil du trésor dans le but de solliciter les crédits nécessaires pour couvrir le coût des modifications. Le Commissaire a indiqué qu'il aborderait ce sujet au cours d'un entretien avec le président du conseil d'administration d'Air Canada. A l'occasion d'une rencontre ultérieure, au cours de laquelle les multiples aspects du bilinguisme furent discutés, le Commissaire a bien précisé au président du conseil d'administration qu'il n'avait pas l'intention de s'immiscer dans la gestion financière de la société.

Le plaignant a été tenu au courant des suites de l'affaire jusqu'à la date de cette rencontre.

Quelques mois plus tard, après plusieurs autres rencontres, Air Canada a fait savoir au Commissaire que les talons de chèque-feuille de paie seraient bilingues à compter du 1<sup>er</sup> janvier 1974.

Le Commissaire a répondu que la Loi sur les langues officielles

portait principalement sur la langue de service de tous les organismes et institutions relevant du Parlement et du gouvernement du Canada, y compris les sociétés de la Couronne comme Air Canada. Il a, par ailleurs, souligné que si, aux termes de son mandat, il incombait au Commissaire de s'assurer que les services fournis au public par ces institutions étaient dans les deux langues, il ne lui appartenait pas de leur en prescrire les modalités.

Il a ajouté que les moyens employés par Air Canada n'entraînaient pas, en l'occurrence, les dispositions de la Loi sur les langues officielles et que si, dans l'esprit du plaignant, la société avait outrepassé les termes de la convention collective, il pouvait toujours en saisir son représentant syndical.

#### *Dossier n° 1147—Langue de travail*

Un transcopié du bureau de réservations de la Plaza Alexis Nihon, à Montréal, se plaint de ce que le français n'est utilisé ni dans les directives, formules et autres communications émanant de son supérieur immédiat, ni dans les cours de formation professionnelle. Il dit devoir fréquemment travailler en anglais parce que certains agents d'Air Canada sont anglophones unilingues, aussi bien au bureau de la Plaza Alexis Nihon qu'au siège social de la société, Place Ville-Marie, à Montréal. Il ajoute que la convention collective signée par le syndicat et la société n'existe qu'en version anglaise.

Air Canada a fait savoir au Commissaire qu'à l'avenir toutes les directives destinées à son personnel de la Plaza Alexis Nihon et des guichets situés en ville et à l'aéroport seraient rédigées dans les deux langues officielles. Mais elle a ajouté que les termes très techniques anglais, notamment ceux qui se rapportent à Reservec II, continueraient d'être utilisés jusqu'à ce que leur terminologie française soit normalisée. Quant aux formules, elles devaient toutes être traduites, et plusieurs l'étaient déjà. Toute correspondance avec les employés se ferait dans la langue officielle de ceux-ci et il leur serait en outre possible de communiquer dans la langue de leur choix avec les administrations locales ou régionales. La version française de la convention collective paraîtrait bientôt.

Le Commissaire a transmis les explications d'Air Canada au correspondant et ce dernier a manifesté le désir de recevoir des informations additionnelles sur certains points. Il voulait savoir quand serait achevée la traduction des différentes formules et si c'était la convention collective actuelle qui ferait l'objet d'une traduction ou seulement celle qui devait entrer en vigueur vers le mois d'août 1973. Il a également

Un employé unilingue anglophone proteste contre le fait qu'Aïr Canada n'ait pas pris en considération sa candidature au poste d'agent commercial parce que celui-ci est classé « bilingue ».

Le Commissaire a indiqué au plaignant que la classification des postes bilingues établie par Aïr Canada était entièrement laissée à la discrétion de la société et qu'il ne saurait intervenir que si, à son sens, cette classification aboutissait à une infraction aux dispositions de la loi. Touché néanmoins par le problème de son correspondant, il a écrit à la société, à titre officieux, pour lui faire part de sa préoccupation.

Aïr Canada a fait savoir au Commissaire que le poste qui avait été désigné bilingue était de nature provisoire et susceptible d'être supprimé en raison d'impératifs budgétaires. De fait, il avait déjà été aboli. La société ajoutait qu'en matière de nomination à un poste désigné bilingue, elle appliquait des règles très claires : tout employé unilingue pouvait y postuler et était assuré que sa candidature serait examinée au même titre que celle des employés bilingues, à condition qu'il acceptât d'acquiescer, dans un délai déterminé, les connaissances linguistiques requises pour l'exercice des fonctions en question. Dans le cas présent, la candidature d'un employé bilingue avait été retenue pour des raisons de mérite et d'aptitude.

Le Commissaire a communiqué au plaignant l'explication fournie par Aïr Canada.

#### Dossiers nos 1038, 1699—Conditions de travail

• Un francophone a envoyé au Commissaire copie de la lettre qu'il a adressée à la direction de son syndicat et dans laquelle il demande que lui soient exposés les principes de la société en ce qui concerne l'emploi du français dans ses bureaux de Montréal, à la suite de l'entrée en vigueur de la Loi sur les langues officielles. Il précise qu'il ne désire pas porter plainte officiellement.

Il a, par la suite, fait savoir au Commissaire qu'Aïr Canada avait émis à la mi-juin 1972 une circulaire sur le bilinguisme et que certains progrès avaient été enregistrés depuis septembre. Il n'en considérait pas moins comme injustifiable la lenteur avec laquelle ces principes généraux étaient appliqués, notamment dans les domaines de la formation professionnelle et de la publication des bulletins relatifs aux tarifs.

• Un anglophone employé à Ottawa aimerait savoir si la société a le droit de muter ses agents comme elle l'entend, de manière à améliorer la répartition de son personnel anglophone ou francophone et à mieux servir le public dans les deux langues officielles.



lièrement celles qui touchaient aux avantages sociaux ou qui étaient utilisées dans la correspondance entre ses services. Mais, au moment où la plainte a été déposée, il n'avait pas encore été prévu de rendre bilingues les formules relatives à l'entretien et à l'utilisation des appareils. L'imprimé visé par le correspondant se classait dans cette catégorie. Le Commissaire s'est enquis auprès d'Air Canada de la raison pour laquelle ces formules ne pourraient à bref délai être établies dans les deux langues officielles. La société lui a répondu qu'une étude de tous les imprimés utilisés ou cités par ses agents au cours de 1972 avait été entamée. Cette étude comprenait trois étapes dont la deuxième était presque achevée. La troisième, visant à dresser un inventaire très précis des directives d'entretien au sol et des techniques informatiques en usage dans les aéroports, permettrait dès que possible aux employés d'utiliser des imprimés bilingues de référence. Le plaignant a été avisé de ces projets.

## 2. *Problèmes de personnel*

### *Dossier n° 977—Mutation*

Une lettre reçue au ministère fédéral du Travail par la Direction des justes méthodes d'emploi concerne la plainte d'une hôtesse anglophone d'Air Canada dont le mari, pilote de la société, a dû être muté de Winnipeg et a choisi Montréal dans le but d'avoir de l'avancement. En application des règles de la société, cette hôtesse de l'air s'est vu refuser sa mutation à la base de Montréal et estime être en butte à une discrimination. Depuis plusieurs années, elle voyage entre sa base et Montréal où elle fait parfois escale. Aux dires de la plaignante, le principe en vertu duquel seules peuvent être affectées à Montréal les hôtesse bilingues est une entente tacite qui n'est consignée dans aucun manuel ou document écrit. De plus, les hôtesse unilingues anglaises déjà en poste à Montréal au moment où la nouvelle politique est entrée en vigueur y sont toujours.

Le Commissaire a fait savoir à la Direction des justes méthodes d'emploi que, dans la mesure où Air Canada avait dûment tenu compte des dispositions de l'article 39(4) de la Loi sur les langues officielles portant sur les nominations et l'avancement du personnel dont les postes comportent des fonctions relatives à la fourniture de services au public, la loi avait été respectée. Le Commissaire était d'avis que la plainte en question touchait à un domaine purement administratif qui était du ressort d'Air Canada et qu'elle était survenue après une décision prise par la société.

été désignée comme transporteur officiel du congrès. Air Canada avait reçu l'assurance qu'une version française du texte avait été préparée à Montréal, mais malheureusement elle n'en avait pas vérifié la traduction.

Le Commissaire a suggéré à Air Canada de revoir tout texte publié au nom de la société par une agence de voyage ou tout autre organisme afin de veiller à ce qu'il soit conforme à la Loi sur les langues officielles. Il a, de plus, communiqué avec le propriétaire de la Professionnal Travel Consultants, qui a, de son côté, écrit au plaignant.

# *1) Absence de formules en français*

*Dossiers nos 1106, 1114, 1116, 1313, 1646*

• Un certain nombre de critiques portent sur le bordereau de vente qu'Air Canada fournit aux agences de voyage et qui n'est libellé qu'en anglais.

La société a déclaré que la formule en question n'existait qu'en anglais, mais que des imprimés bilingues sortiraient prochainement.

• Un francophone soutient qu'à l'aéroport d'Ottawa, Air Canada ne se sert que de formules unilingues anglaises pour transmettre des directives administratives internes.

La société a répondu que la formule était bilingue depuis plusieurs mois et en a envoyé un exemplaire au Commissaire. Elle a ajouté avoir donné des instructions à son vice-président (Région Est) de veiller à ce que la formule bilingue soit en usage d'un bout à l'autre de son territoire et de renvoyer les exemplaires unilingues anglais au siège social de la société qui verrait à ce qu'ils soient utilisés dans les régions anglophones. Elle a précisé que, lorsque ces stocks unilingues seraient épuisés, tous les bureaux d'Air Canada se serviraient de formules bilingues.

Air Canada a en outre signalé qu'elle visait à rendre bilingues, dès que faire se pourrait, tous ses règlements, formules et manuels (à l'exception des plus techniques) et qu'elle accorderait la priorité aux documents et formules destinés au public.

• Un francophone voyageant souvent par Air Canada se plaint de ce qu'une des formules qu'il a vue affichée à l'entrée d'un avion n'était rédigée qu'en anglais. Or, étant donné que cet imprimé pouvait facilement être lu par les passagers, le plaignant considère qu'il aurait dû être bilingue.

Air Canada a souligné qu'elle voyait à rendre bilingues dans toute son organisation bon nombre de ses formules internes, et tout particu-

La lettre-circulaire et les brochures avaient pour objet d'annoncer aux usagers de cartes de crédit la mise en service de la liaison Rapidaire entre Toronto et Montréal. Les listes d'adresses d'Air Canada pour la région de Toronto n'indiquaient pas toujours exactement la langue d'usage du client. La société a expliqué qu'avant 1968 le client n'avait pas à préciser, sur la formule de demande de carte de crédit Air Canada-Canadien National, dans quelle langue il préférerait que l'on s'adresse à lui.

Air Canada a fait parvenir au Commissaire des brochures en français et une formule sur laquelle le plaignant pourrait indiquer la langue officielle de son choix; le tout a été transmis au plaignant accompagné des explications et des excuses de la société.

## h) Publicité

### *Dossiers nos 556, 1540*

- Un Franco-manitobain envoie au Commissaire une photocopie d'une annonce publiée par Air Canada et dit avoir constaté que l'annonce n'a paru que dans les journaux de langue anglaise de Winnipeg. D'après lui, il faut s'abonner à un journal de langue anglaise pour se renseigner sur les activités des entreprises gouvernementales. Il estime que c'est là faire preuve de discrimination envers les francophones du Manitoba.
- Air Canada a informé le Commissaire que des campagnes de publicité distinctes de celles qui sont organisées pour rejoindre le public anglophone étaient maintenant prévues pour atteindre les francophones hors du Québec. Les textes seraient conçus spécifiquement pour les francophones et ne seraient pas des traductions ou des adaptations du matériel anglais. En outre, comme il se doit, les media publicitaires de langue française seraient utilisés.
- Cependant, lors d'un suivi, le Commissaire a pu constater qu'une annonce d'Air Canada n'était parue dans les hebdomadaires de langue française de l'Ouest. Air Canada a répondu qu'il y avait eu des délais imprévus mais que des annonces paraîtraient dans ces hebdomadaires à partir du 15 novembre 1973.

- Un plaignant porte à l'attention du Commissaire la mauvaise qualité du français d'un texte annonçant la réunion de l'Association canadienne des sciences sportives à Vancouver. Il critique également l'écriture unilingue anglais souhaitant un agrément des participants. Air Canada a fait savoir au Commissaire que la Professionnal Travel Consultants de Toronto était chargée de la publication du texte en question et que celui-ci était déjà rédigé lorsqu'Air Canada avait



Air Canada a avancé les raisons suivantes pour expliquer au Commissaire les insuffisances du service en français :

1) *Sydney*  
Seuls deux des huit préposés aux réservations étant bilingues, la société ne pouvait pas toujours fournir ce service en français.

2) *Sudbury*  
La société a dit disposer du personnel bilingue auquel on aurait dû demander de fournir le service en français.

3) *Edmonton*  
Il y avait bien deux employés bilingues, mais ils venaient de terminer leur service au moment où le plaignant a téléphoné.

4) *Ottawa*  
Il y avait des téléphonistes bilingues et la société espérait en recruter davantage. Les unilingues anglophones auraient dû faire appel à leurs collègues bilingues pour répondre aux clients francophones.

8) *Défaut de correspondre en français*

*Dossiers nos 980, 1001*

• Un francophone affirme avoir reçu, d'une banque et d'une agence de recouvrement de créances agissant pour le compte d'Air Canada, des lettres rédigées en anglais. A la suite de cette plainte, la société a donné à ces organismes des directives les enjoignant de correspondre en français avec ses clients de langue française.

Le Commissaire a rappelé à Air Canada que tous les services offerts au public voyageur devaient l'être dans les deux langues officielles, et ce, aussi bien par les organismes avec lesquels la société passait des contrats que par elle-même.

• Un francophone de Toronto se plaint d'avoir reçu d'Air Canada des brochures publicitaires accompagnées d'une lettre-circulaire rédigée en anglais.

### 3) Regina

Cet aéroport disposait d'une capacité bilingue et les annonces auraient dû y être faites dans les deux langues officielles.

### 4) Fredericton

Air Canada a déclaré que les conventions collectives lui interdisaient d'engager ou de muter le personnel qui lui permettrait de se doter d'une capacité bilingue dans cet aéroport. Toutefois, elle étudiait la possibilité d'utiliser un tableau indicateur des vols bilingue.

### e) *Manque ou insuffisance de signalisation en français*

*Dossiers nos 1275, 1339, 1589, 1634, 1595*

Plusieurs plaintes reçues par le Commissaire portent sur la signalisation unilingue anglaise dans les DC-9 d'Air Canada et notamment sur les inscriptions indiquant aux passagers où accrocher leurs manteaux. Un grief concerne la plaque indiquant où mettre les débris de la cuisine.

Certaines critiques signalent un écriteau unilingue anglais à l'aéroport de Sudbury invitant les clients à utiliser une sonnette pour appeler l'agent de service, et des inscriptions aux aéroports de North Bay et de Toronto ne donnant qu'en anglais les heures d'ouverture et de fermeture des bureaux d'Air Canada et n'indiquant que dans cette langue comment y obtenir certains services après la fermeture des bureaux.

Air Canada a répondu au Commissaire que certaines inscriptions étaient apposées sur des appareils réservés à l'usage de ses employés et non des passagers. La société lui a également fait savoir qu'elle veillerait à rendre bilingues toutes celles qui étaient destinées au public. Les indications qui ont occasionné des plaintes à Sudbury, North Bay et Toronto étaient maintenant bilingues.

### f) *Manque ou insuffisance de services téléphoniques en français*

<i>Ville</i>	Sydney (Nouvelle-Ecosse)	814
	Sudbury	853
	Edmonton	1053
	Ottawa	1263
<i>Dossier</i>		

Air Canada comptait faire les annonces dans les deux langues à partir du 1<sup>er</sup> novembre 1972. La société avait engagé un certain nombre d'agents bilingues et espérait en recruter d'autres d'ici peu. Elle envisageait, en outre, d'utiliser des annonces enregistrées.

## 2) Halifax

Un tableau indicateur des vols bilingue a été mis en place à l'aéroport. Air Canada a fait savoir que, dans la mesure du possible, les annonces seraient faites dans les deux langues officielles, mais en précisant qu'un agent d'accueil bilingue n'était pas toujours disponible.

## 1) Sudbury

Aéroport	Dossier
Sudbury	1172
Halifax	1034, 1329
Regina	1509
Fredericton	1423

## d) Absence d'annonces en français au départ des vols

Air Canada a déclaré disposer, à des degrés différents, d'une capacité bilingue à Sudbury, Gander et Winnipeg. A Vancouver, la société affectait les membres bilingues de son personnel à des postes où ils seraient appelés à servir le public dans la langue de son choix.

## 4) Vancouver, Sudbury, Gander, Winnipeg

ments dans les deux langues officielles et de fournir des services bilingues à Timmins dès qu'aurait été trouvée une solution satisfaisant aux exigences des syndicats. Air Canada a signalé au Commissaire qu'elle avait déjà donné à ses six directeurs régionaux des instructions visant à rendre bilingues, avant décembre 1972, tous les tableaux ainsi que l'ensemble de la signalisation. Elle a, en outre, fait état des progrès sensibles déjà enregistrés : la signalisation aux aéroports et à ses bureaux en ville apparaissait déjà partout dans les deux langues officielles sauf à Vancouver et Regina.



1) *Ottawa*

Plusieurs francophones se plaignent d'avoir été traités cavalièrement par des préposés aux guichets de l'aéroport d'Ottawa qui n'avaient absolument pas cherché à requérir l'assistance de leurs collègues francophones. Les agents en question n'ayant pu être identifiés, le chef du service a donné un avertissement collectif. Air Canada a informé le Commissaire que des instructions enjoignant son personnel de fournir un service irréprochable dans les deux langues officielles avaient été données à maintes reprises. La société a, par ailleurs, expliqué au francophone qui, malgré la consonance tout à fait française de son nom, avait été appelé en anglais aux haut-parleurs, qu'aucun agent bilingue n'était disponible à l'heure d'affluence où l'incident s'était produit.

2) *Toronto*

Une passagère belge manque sa correspondance pour Sudbury en raison de retards survenus à Montréal. Personne au comptoir d'Air Canada n'est en mesure de lui exposer la situation en français et, finalement, environ une heure plus tard, on fait appel aux agents d'Air France pour servir d'interprètes. Dans l'avion à bord duquel la passagère poursuit sa route le lendemain, aucun service n'est offert en français.

Le Commissaire a recommandé que, conformément à l'article 10(1) de la Loi sur les langues officielles, le comptoir d'Air Canada à l'aéroport international de Toronto dispose toujours d'une capacité bilingue de façon à servir le public dans les deux langues officielles. Il a, par ailleurs, recommandé à la société de prendre des dispositions pour fournir des services bilingues sur la ligne Toronto-Sudbury-Toronto et d'essayer, au cas où les conventions collectives présenteraient certains obstacles, de solutionner les problèmes avec les délégués syndicaux.

3) *Timmins*

La société a reconnu n'avoir aucune capacité bilingue à Timmins. Elle a, dans un premier temps, déclaré ne pouvoir y remédier en raison de la rigidité des conventions collectives, mais elle a, par la suite, tenté de trouver une solution au problème en collaboration avec les syndicats. Désormais à cet aéroport, le tableau indicateur des vols afficherait des renseignements en anglais et en français et des enregistrements en français annonceraient les départs.

Le Commissaire a recommandé à Air Canada de veiller, dans tous les aéroports, à ce que les tableaux indicateurs affichent des renseignements

Air Canada a fait connaître au Commissaire son intention de remplacer, dès que seraient épuisés les stocks actuels, ses pochettes d'allumettes et sachets de sel par d'autres portant des modes d'emploi rédigés dans les deux langues.

b) *Manque ou insuffisance de services en anglais en cours de vol*

*Dossier n° 948*

Une plaignante de North Bay (Ontario) affirme que, dans les avions d'Air Canada assurant les liaisons entre le Canada et les États-Unis, les annonces sont très souvent faites par les hôtesses francophones en mauvais anglais. Elle considère que c'est offensant pour les anglophones.

Air Canada a fait savoir au Commissaire qu'elle veillait à ce que les annonces soient faites par le personnel de cabine parlant le plus couramment la langue voulue. Il pouvait cependant arriver que, lors d'un vol, tout le personnel de cabine fût de langue maternelle française; il devait alors, en principe, toujours se trouver à bord un agent apte à faire les annonces en anglais.

Air Canada offrait des cours de langues anglaise et française dans ses centres de formation et dans ses bases et, en outre, aidait financière-ment son personnel navigant à se perfectionner dans la pratique des deux langues.

c) *Manque ou insuffisance de services en français aux guichets des aéroports*

*Aéroport*

*Dossier*

Ottawa 840, 1324, 1631, 1666, 168

Toronto 1258, 1285

Timmins 1288

Vancouver 1427

Sudbury 1857

Gander 1072

Winnipeg 1194

de l'*Evangeline*.

Il a été décidé de doubler à chaque vol le nombre d'exemplaires

#### 14) *Fredericton*

Aucune annonce expliquant pourquoi l'avion ne pouvait atterrir à Halifax n'a été faite en français; les passagers francophones n'ont donc pu comprendre ce qui se passait et certains d'entre eux se sont alarmés. Air Canada a rappelé au personnel intéressé que pendant le vol toute annonce devait être faite dans les deux langues officielles et a présenté ses excuses aux passagers d'expression française.

#### 13) *Montréal-Halifax*

Lors du trajet Winnipeg-Ottawa, l'hôtesse bilingue aurait dû fournir des services en français sans qu'on lui en fit la demande. Au retour, il n'y avait aucune hôtesse bilingue, ce qu'Air Canada a mis sur le compte des conventions collectives, qui ne lui donnaient pas toute latitude d'affecter tel agent à tel vol.

#### 12) *Winnipeg-Ottawa-Winnipeg*

Tous les membres de l'équipage étaient bilingues et toutes les annonces faites en cours de vol l'avaient été dans les deux langues officielles, mais Air Canada a reconnu qu'aucune annonce n'avait été faite en français à l'aéroport de Miami et s'en est excusée.

#### 11) *Miami-Montréal*

Air Canada a précisé que ses formules de demande de recherche de bagages étaient libellées dans les deux langues et en a envoyé un exemplaire au Commissaire.

Des agents bilingues aptes à traduire les annonces et à s'occuper des passagers francophones étaient à bord, mais leurs services n'avaient pas été requis. Le personnel concerné s'est vu rappeler l'obligation de fournir des services dans la langue officielle des passagers.

#### 10) *Montréal-Regina*

La quantité habituelle de revues et de journaux en langue française n'avait pas été mise à bord. Le personnel concerné a été prié de faire preuve de plus de vigilance à l'avenir.



5) *Étape du vol 633 (Halifax-Ottawa)*

Certains membres du personnel de cabine étaient bilingues, mais ils avaient apparemment omis de traduire les commentaires du pilote. Air Canada a expliqué que, ce trajet comprenant une série d'étapes d'environ une heure chacune, les hôtesse s'affairaient à servir les repas et s'occupaient des passagers et que, par conséquent, il leur arrivait parfois d'oublier de traduire certains commentaires.

6) *Chicago-Toronto*

Air Canada a fait remarquer qu'à l'époque où la plainte a été reçue, il se trouvait, parmi les équipages de deux des quatre vols quotidiens, des agents aptes à fournir des services bilingues; les connaissances en français du personnel des deux autres vols étaient réduites ou in-existantes. Mais, depuis le 30 septembre 1972, au moins 50 p. 100 du personnel navigant affecté aux liaisons régulières de cet itinéraire était bilingue. En ce qui concerne journaux et revues, ils étaient fournis par des concessionnaires de Toronto et de Montréal selon des proportions déterminées d'après les besoins linguistiques des passagers de la société. Celle-ci a déclaré son intention de procéder à une nouvelle étude à ce sujet.

7) *Regina-Winnipeg-Regina*

Air Canada a reconnu n'avoir aucun agent bilingue à bord de ces vols relativement courts, ainsi que sur d'autres itinéraires dans des régions à forte majorité anglophone. La société a ajouté qu'elle faisait le maximum pour essayer d'assurer un service entièrement bilingue sur tous ses itinéraires.

8) *Toronto-Sudbury*

La liaison en question parlait de Toronto, ville où ne paraît aucun quotidien de langue française. C'est pourquoi seuls des journaux de langue anglaise avaient été mis à la disposition des passagers. En ce qui concerne les magazines, le problème était temporaire : l'agence qui les livrait à Air Canada se trouvait à l'époque dans l'impossibilité de fournir les quantités voulues en anglais et en français.

9) *Sept-Îles-Montréal*

Le Viscount qui assurait normalement cette liaison avait dû être remplacé ce jour-là par un DC-9 et, pour une raison restée inexpliquée,

Le nombre d'agents bilingues employés par la base de Toronto n'était pas suffisant pour qu'il fût possible de prévoir des membres bilingues pour tous les vols. Toutefois, Air Canada visait à ce qu'il y en ait au moins un à bord.

#### 4) *Toronto-Winnipeg*

Trois membres de l'équipage sur six étant bilingues, il appartenait à leurs collègues unilingues de faire appel à eux.

#### 3) *Toronto-Regina*

En ce qui concerne la seconde plainte, Air Canada a reconnu qu'aucun des membres du personnel de cabine du vol ouest-est n'était bilingue; mais la société a attiré l'attention du Commissaire sur le fait qu'elle ne disposait pas alors d'agents bilingues en nombre suffisant pour que se trouve toujours à bord au moins un membre d'équipage bilingue, disposition qu'elle espérait être en mesure d'appliquer à l'avenir. La société a fait remarquer que la proportion de personnel bilingue était en augmentation dans les trois bases d'Air Canada situées dans les provinces de l'Ouest.

Lors des vols d'ouest en est et en sens inverse qui font l'objet de la première plainte, le personnel bilingue voulu se trouver à bord mais personne n'ayant donné d'instructions spéciales à ces agents — ce qui eût dû être fait — les annonces n'ont pas été faites en français.

#### 2) *Saskatoon-Winnipeg-Saskatoon*

En ce qui concerne la deuxième plainte, la société a indiqué que le correspondant s'était exprimé dans un anglais si impeccable que l'hôtesse n'avait pas jugé utile de faire appel à sa collègue bilingue. Le Commissaire a fait savoir à Air Canada qu'il éprouvait de la difficulté à comprendre pourquoi les directives n'étaient pas suivies par le personnel et lui a recommandé de veiller à ce que les services soient fournis dans les deux langues officielles entre Ottawa et Montréal. Air Canada a expliqué que, dans le cas de la troisième plainte, des retards avaient empêché les hôtesse bilingues désignées pour ce vol d'assurer leur service et qu'il avait fallu les remplacer au pied levé par des hôtesses unilingues.

fait appel à l'une de ses collègues sachant le français. Ces directives ont été rappelées à l'hôtesse.

Un grand nombre des plaintes reçues par le Commissaire porte sur l'absence de services fournis en français, qu'il s'agisse du personnel de cabine, des publications à l'usage des passagers ou des annonces.

<i>Vol</i>	<i>Dossier</i>	<i>Objet des plaintes</i>
Montréal-Ottawa	954, 1309, 1345	Personnel de cabine et publications
Saskatoon-Winnipeg-Saskatoon	976, 1148	Annonces
Toronto-Regina	1056	Personnel de cabine
Toronto-Winnipeg	1162, 1196	Personnel de cabine et annonces
Étape du vol 633 (Halifax-Ottawa)	1186	Annonces
Chicago-Toronto	1265	Personnel de cabine, annonces et publications
Regina-Winnipeg-Regina	1303	Personnel de cabine et annonces
Toronto-Sudbury	1670	Publications
Sept-Îles-Montréal	1026	Publications
Montréal-Regina	1501	Personnel de cabine, annonces et formules de demande de recherche de bagages
Miami-Montréal	982	Annonces de départ et annonces en cours de vol
Ottawa-Winnipeg	848	Personnel de cabine
Montréal-Halifax	1034	Annonces
Fredericton	1423	Publications
Vois non précisés	1612, 1247	Modes d'emploi des sachets de sel et des pochettes d'allumettes

# 1) Montréal-Ottawa

Pour ce qui est de la première plainte, Air Canada s'est excusée auprès du plaignant de ce que l'hôtesse unilingue à laquelle il avait eu affaire n'ait pas suivi les règlements édictés par la société et n'ait pas



prospectus et de dépliant publicitaires dans les deux langues officielles du Canada;

(10) que tous les indicateurs, tarifs et autres publications de même nature publiés par Air Canada et distribués aux usagers des services de la société par le Bureau du district de Moncton soient disponibles, d'ici au 31 décembre 1972, dans les deux langues officielles du Canada;

(11) que les cartes de visite, timbres dateurs et autres articles semblables, utilisés par le Bureau du district de Moncton soient tous, d'ici au 31 décembre 1972, dans les deux langues officielles du Canada, en mettant l'anglais et le français sur le même document ou le même article;

(12) que tous les panneaux, inscriptions et signes utilisés par le Bureau du district de Moncton qui sont visibles par le public, soient, d'ici au 31 décembre 1972, dans les deux langues officielles du Canada;

(13) que le Bureau du district de Moncton utilise dorénavant des présents à usage publicitaire en respectant l'égalité de statut des deux langues officielles du Canada;

(14) que tous les contrats préparés par Air Canada, qui sont passés entre la société et le secteur privé et qui concernent les services fournis par le Bureau du district de Moncton soient disponibles, d'ici au 31 décembre 1972, dans les deux langues officielles du Canada;

(15) que dans tous les contrats aux termes desquels des entreprises ou des individus s'engagent à assurer, pour le compte d'Air Canada, des services à Moncton, la société insère, lors du prochain renouvellement, tacite ou expresse, de ces accords ou à la faveur de nouveaux contrats, une clause qui obligerait l'autre partie à fournir ses services dans les deux langues officielles du Canada;

(16) que la société demande immédiatement à la Compagnie d'assurances pour le compte de laquelle elle vend des polices d'assurance par l'entremise de son bureau des ventes du district de Moncton de mettre à sa disposition des polices rédigées dans les deux langues officielles du Canada en imprimant, de préférence, les textes anglais et français sur le même document;

(17) que la société incite, dans les plus brefs délais, le personnel du Bureau du district de Moncton qui entre, d'une façon ou d'une autre, en contact avec le public, à suivre des cours de langue seconde, en lui permettant, par exemple de suivre, aux frais de la société, les cours pendant les heures de travail ou en lui accordant des stimulants efficaces pour l'encourager à suivre des cours en dehors des heures de travail.

## PLAINTES

### 1. Service au public

a) Absence ou insuffisance de services en français en cours de vol

d'initiative à Air Canada dans l'embauchage du personnel. Au moment de l'étude, par ailleurs, le bureau de Moncton ne semblait guère tirer parti des cours de langue : à l'exception du directeur de district, en effet, aucun des employés du bureau n'était inscrit à un cours de langue seconde pour l'année 1972-1973.

Le Commissaire a formulé à l'intention de la société 17 recommandations visant à améliorer la qualité des services bilingues qu'elle fournit à Moncton et à réduire le nombre de situations pouvant occasionner des plaintes. C'est ainsi qu'il a recommandé ce qui suit :

(1) que, d'ici au 31 décembre 1972, la société fasse parvenir au Bureau du district de Moncton un ensemble de directives portant sur les obligations pratiques qui découlent, pour le personnel, de l'application de la Loi sur les langues officielles;

(2) que la société, sans mettre en péril la sécurité d'emploi des titulaires actuels, nomme, au niveau de la direction du Bureau du district de Moncton, au moins une personne capable de s'acquitter de ses fonctions dans les deux langues officielles du Canada;

(3) que la société prenne immédiatement les mesures nécessaires pour que le bureau des ventes de Moncton puisse, en tout temps, offrir des services dans les deux langues officielles du Canada;

(4) que la société, d'ici au 31 décembre 1972, s'assure que le personnel du district de Moncton utilise spontanément, lorsqu'il s'adresse en premier au client, les deux langues officielles du Canada et qu'il soit en mesure, le cas échéant, d'établir le premier contact dans la langue—s'il s'agit de l'anglais ou du français—du client;

(5) que la société, sans mettre en péril la sécurité d'emploi des titulaires actuels des postes d'agents du service des marchandises, prenne les dispositions nécessaires pour que le service des marchandises puisse, d'ici au 31 décembre 1973, être assuré, à l'aéroport de Moncton, dans les deux langues officielles du Canada;

(6) que la société s'assure immédiatement que les employés du district de Moncton identifient dans tous les cas, lorsqu'ils répondent à un appel téléphonique venant du public, leur bureau dans les deux langues officielles du Canada;

(7) que, d'ici au 31 décembre 1972, les employés unilingues du district de Moncton qui ont des contacts téléphoniques avec le public soient en mesure, si la personne qui appelle s'exprime dans la langue officielle qu'ils ne connaissent pas, de dire, dans la langue de leur interlocuteur, à l'aide de quelques phrases types, que l'appel sera pris par un autre employé;

(8) que toutes les formules de la société susceptibles d'être vues par le public et qui sont utilisées par le Bureau du district de Moncton soient, d'ici au 30 septembre 1972, dans les deux langues officielles du Canada en respectant l'égalité de statut des deux langues;

(9) que, d'ici au 31 décembre 1972, le Bureau du district de Moncton mette à la disposition du public, en tout temps, un nombre comparable de

Au sujet des communications orales avec le public, l'équipe a découvert que, des cinq cadres supérieurs du bureau de district, qui ont tous plus ou moins affaire au public, aucun n'était bilingue.

Deux employés, dont un bilingue, servaient aux guichets les voyageurs et le grand public, mais les services bilingues n'étaient offerts ni spontanément ni en permanence, notamment en cas d'absence de la personne bilingue. A l'aéroport, sur huit agents des services à la clientèle, sept étaient bilingues; par contre, il n'y en avait aucun parmi les trois employés du fret aérien qui servaient aussi les clients de la société.

Les relations téléphoniques avec le public étaient également très importantes. L'équipe chargée de l'étude a appris qu'entre le 29 mai et le 4 juin 1972, le bureau des réservations avait reçu 2 576 appels téléphoniques dont 108 en français. La compagnie se présentait en français et en anglais mais, pour les cas peu fréquents où elle ne pouvait pas fournir un service dans les deux langues, elle avait fait installer un système de transmission des appels du bureau des réservations à l'aéroport, où il était toujours possible de communiquer dans l'une ou l'autre langue. Là, les annonces étaient diffusées dans les deux langues et les appels se faisaient dans la langue du client. Tous ces arrangements étaient rigoureusement conformes aux dispositions de la Loi sur les langues officielles.

Au sujet des imprimés et de la signalisation, 40 des 45 formulaires mis à la disposition du public étaient bilingues; sur 86 brochures publicitaires examinées, 30 étaient rédigées en français et 55 en anglais, une seule, dans les deux langues; les dépliant d'information sur le transport routier et aérien des marchandises étaient unilingues anglais; les timbres dateurs et les cartes de visite n'étaient pas bilingues. Le bureau de district n'exposait que des affiches unilingues anglaises alors qu'il disposait d'un matériel publicitaire bilingue. Les écriteaux et les inscriptions, rédigés dans les deux langues au bureau des ventes, étaient parfois unilingues à l'aéroport.

Deux contrats ont attiré l'attention de l'équipe : l'un, passé entre le bureau de district et une entreprise de camionnage chargée de réceptionner et de livrer des marchandises pour la société, et donc appelée à avoir de fréquents contacts avec la population de Moncton; l'autre, conclu avec une compagnie d'assurance faisant affaire avec les clients de la société. Aucun de ces deux contrats ne stipulait que l'entreprise ou la compagnie en question devait fournir des services dans les deux langues officielles, et les contrats eux-mêmes étaient unilingues. C'est surtout par le recrutement et les mutations, en plus des cours de langue, que les organismes fédéraux peuvent accroître leur capacité bilingue. Or, les restrictions imposées par les conventions collectives passées entre la société et les syndicats laissaient peu



1 400 employés de son réseau. Afin de stimuler la participation, ces cours, surtout ceux qui s'adressent aux employés qui sont en contact avec le public, seront donnés pendant les heures de travail et aux frais de la compagnie.

De sa propre initiative, la société a fourni également les renseignements suivants : « en ce qui concerne la traduction et la terminologie, les services de traduction ont été agrandis et nous allons les développer encore en dotant de traducteurs nos services régionaux à compter de janvier 1974. Au printemps 1974 il y aura également un service de Télec pour les traductions urgentes. Nous avons mis au point et distribué aux employés deux manuels de terminologie. Le premier, qui s'intitule 'Vocabulaire Air Canada Vocabulary' donne les équivalents anglais-français et français-anglais de la plupart des termes couramment employés à Air Canada. Le second intitulé 'Signs-Ecritureaux — Stamps-Tampons' constitue un répertoire de tous les écritureaux et de tous les tampons provisoires ou permanents dont peuvent avoir besoin les services régionaux de la compagnie. Nous avons également conçu des affiches terminologiques illustrées qui seront distribuées aux employés en janvier 1974 ».

« La compagnie a élaboré des lignes directrices, dont elle discute actuellement avec son personnel des régions et des districts; elle a également prévu des mesures destinées à faciliter l'application des recommandations. On prévoit notamment un système de contrôle systématique qui permettra de s'assurer que le service est effectivement offert dans les deux langues officielles. »

### ÉTUDE SPÉCIALE — DISTRICT DE MONCTON

Le bureau du Commissaire a entrepris cette étude en vue de déterminer dans quelle mesure Air Canada desservait, à Moncton, les voyageurs et le grand public en conformité avec la Loi sur les langues officielles.

Les résultats de l'étude couvrent quatre secteurs principaux : les directives, les communications orales, les communications écrites et le personnel. L'équipe a appris que le bureau de district de Moncton avait reçu, du siège social, deux directives concernant les langues officielles : l'une traitait des articles 9 et 10 de la loi en précisant les catégories de personnel auxquelles chaque article s'appliquait; l'autre, destinée uniquement à la direction, exposait à nouveau la politique générale de la société en matière de bilinguisme. Aucune de ces directives n'évoquait les problèmes d'ordre pratique que peut soulever l'application des dispositions pertinentes de la Loi sur les langues officielles.

en œuvre, une dont la mise en pratique était à peine amorcée, deux qui n'avaient guère suscité de mesures importantes et trois auxquelles la société n'avait donné aucune suite.

Les quatre recommandations appliquées demandaient que la société réagisse immédiatement aux propositions du Commissaire sans attendre d'avoir élaboré de nouvelles politiques, qu'elle mette en tête de liste de ses objectifs celui de respecter les exigences de la loi sur l'ensemble de son réseau, qu'elle reconnaisse l'existence d'une demande de services dans les deux langues sur toutes ses lignes et qu'elle offre à son personnel une formation linguistique dans des conditions d'efficacité réelles. Les quatre recommandations presque entièrement mises en œuvre lui demandaient d'exploiter toutes les sources possibles de recrutement de personnel bilingue, de confier aux cadres supérieurs des régions ou des districts la responsabilité primordiale d'appliquer la loi, de rendre bilingues les quelques formulaires à l'usage du public encore unilingues et de suivre les recommandations du Commissaire, tout en maintenant des rapports étroits avec les syndicats. De fait, la compagnie, la CALFA et la CALBA (respectivement l'Association canadienne des employés du transport aérien et l'Association canadienne du personnel du service des avions) déclarent être parvenues à des accords prévoyant des dispositions qui faciliteront l'application de la loi.

Les douze recommandations dans la bonne voie concernaient la formation et les tests linguistiques, les services de traduction, les relations publiques, les écritures et autres inscriptions diverses, et l'efficacité bilingue requise pour occuper les postes comportant des contacts avec le public. Il restait encore énormément d'efforts à déployer pour appliquer les quatorze recommandations restantes.

Au 30 septembre 1973, les recommandations concernant le bilinguisme visuel, tels que les formules à l'usage du public, les tampons, les écritures et les inscriptions, étaient presque entièrement appliquées. Par contre, le bilinguisme verbal, tels que l'offre automatique des services dans la langue appropriée, les annonces et le service à l'aéroport et en cours de vol, et le service téléphonique laissaient encore beaucoup à désirer. La tournée d'inspection des aéroports canadiens a permis de constater que, dans plusieurs d'entre eux, les écrivains d'Air Canada étaient encore unilingues et que la compagnie faisait souvent des annonces dans une seule langue.

Pour ce qui est du recrutement et de la formation linguistique, Air Canada avait établi, en septembre 1973, le nombre et le niveau des employés bilingues requis pour les contacts avec le public et avait commencé à donner des cours de langue au personnel rampant et au personnel navigant. Selon son programme, la compagnie a l'intention de donner, en 1974, des cours de français ou d'anglais à quelque

avait douze en cours d'application, huit au stade initial de la mise avaient été appliquées, que quatre autres l'étaient presque et qu'il y en avait douze en cours d'application, huit au stade initial de la mise

Lors d'une vérification faite en janvier 1974, les collaborateurs du Commissaire ont constaté que quatre de ces recommandations du Commissaire ont été appliquées, que quatre autres l'étaient presque et qu'il y en avait douze en cours d'application, huit au stade initial de la mise

Le Commissaire, comme indiqué dans son *Deuxième rapport annuel* (1971-1972), avait adressé 34 recommandations à Air Canada en mai 1972 au sujet du recrutement, de la formation linguistique, du personnel au sol et du personnel navigant, des relations publiques, des formules, de la publicité, de la correspondance, des publications, de la présentation des services au téléphone et des renseignements fournis par téléphone, des annonces et des services à l'aéroport et durant les vols, du contrôle de la réforme linguistique et de diverses autres questions.

### *Etude spéciale de la direction nationale*

insignes bilingues à l'été 1974.

Moncton étaient bilingues. La société envisage d'utiliser de nouveaux aéroports a révélé que les panneaux d'Air Canada à l'aéroport de aider les employés à passer les appels. La tournée d'inspection des des anglophones et qu'on mettait au point un recueil de locutions pour au téléphone pouvaient être aussi bien compris des francophones que informé le Commissaire que les mots qu'elle a choisis pour se présenter pour répondre au téléphone et achever les appels, la compagnie a cerné les deux recommandations demandant d'utiliser les deux langues autres recommandations ont été partiellement suivies. En ce qui concerne les deux langues officielles, sous une forme ou une autre. Quatre des six ses annonces publicitaires, ses contrats et ses autres imprimés dans les certains services, et de présenter désormais ses formules, ses brochures, guisime dans les contrats passés avec les entreprises privées qui assurent dans les deux langues officielles, d'insérer une clause relative au bilingue surer que ses bureaux de Moncton fournissent des services satisfaisants une représentation bilingue au sein de la direction du district, de s'assurer que ses bureaux de Moncton fournissent des services satisfaisants

responsabilités aux termes de la Loi sur les langues officielles, d'avoir daient à la société d'émettre des directives indiquant au personnel ses 1973, onze recommandations étaient mises en œuvre. Celles-ci demandaient à la société d'émettre des directives indiquant au personnel ses 1973, onze recommandations étaient mises en œuvre. Celles-ci demandaient à la société d'émettre des directives indiquant au personnel ses ces échéances en ce qui concerne neuf d'entre elles. Au 30 septembre immédiatement ou avant le 31 décembre 1972. La société a respecté officielle. Quinze de ces recommandations devaient être appliquées personnel en contact direct avec le public à étudier l'autre langue visuel dans les locaux d'Air Canada et à la nécessité d'encourager le bilingues, à l'effectif nécessaire pour assurer ces services, au bilinguisme deux langues officielles, à la nécessité d'offrir au public des services ces recommandations touchaient au principe de l'égalité de statut des



unilingue à Ottawa avait suivi des cours de français en 1972. Comme la recommandation concernant les annonces relatives aux vols avait suscité, au départ, un problème d'ordre syndical, la société a dû annuler une directive qu'elle avait émise à cet égard. Elle a toutefois pris d'autres mesures par la suite, mais certaines annonces ne sont encore faites qu'en anglais. À la mi-décembre 1973, Air Canada lui a communiqué la nouvelle convention collective conclue avec la CALFA lui permettant d'affecter du personnel pour que les annonces soient communiquées dans les deux langues officielles.

#### *Étude spéciale des aéroports de Londres et de Paris*

Les services d'Air Canada à Londres et à Paris ont fait l'objet d'une étude spéciale pour déterminer si, dans ses services à l'étranger, la compagnie se conformait à la Loi sur les langues officielles. À la suite de cette étude, quatre recommandations furent adressées à Air Canada en janvier 1972. Deux de ces recommandations portaient sur l'aspect visuel du bilinguisme des services au public (écrans et imprimés). L'échéance de mise en œuvre était fixée au 1<sup>er</sup> juin 1972. Une autre recommandation demandait que des mesures immédiates soient prises pour assurer des services dans les deux langues à l'aéroport de Heathrow, à Londres. La quatrième recommandation voulait que les services téléphoniques et les inscriptions dans les annuaires téléphoniques soient bilingues à Londres comme à Paris.

Air Canada a déclaré qu'elle n'a donné suite qu'à une seule de ces recommandations, celle qui concerne les écrans et les inscriptions bilingues à Londres et à Paris. Air Canada n'a pas étendu l'application de la recommandation sur les imprimés aux annonces et au matériel publicitaires s'adressant au marché local. Ceux-ci seront imprimés seulement dans la langue des affaires de ce marché.

La compagnie a donné des cours de français à certains de ses agents de l'aéroport de Heathrow, à Londres. À la fin de décembre 1973, elle signalait que ses bureaux à l'aéroport de Heathrow offraient, sur demande, des services en français.

La quatrième recommandation, demandant qu'on réponde au téléphone dans les deux langues officielles, n'avait pas été appliquée. La compagnie indiquait toutefois qu'on pouvait faire les réservations dans les deux langues tant à Londres qu'à Paris.

#### *Étude spéciale de Moncton*

À la suite de cette étude, 17 recommandations ont été présentées à Air Canada le 25 septembre 1972. Comme dans les autres études,

francaise. Elle n'avait aucun employé bilingue à Timmins où plus de 40 p. 100 des habitants sont francophones. A Frederton, capitale d'une province officiellement bilingue, où le français est la langue maternelle de 35 p. 100 de la population, Air Canada ne pouvait annoncer les départs en français.

Le Commissaire est conscient des difficultés que posent les conventions collectives qui lient Air Canada et les divers syndicats représentant ses employés, mais il est d'avis que la direction aurait dû s'attaquer beaucoup plus tôt à la négociation d'ententes qui eussent permis à la compagnie de respecter les droits que la loi confère aux citoyens.

Comme par le passé, Air Canada promet beaucoup d'améliorations pour l'avenir. Et, comme par le passé, le Commissaire préférerait des réalisations concrètes à des promesses. Ce qui fait qu'il attend, comme beaucoup d'autres citoyens, de voir ce que l'avenir réserve.

Le bureau du Commissaire a puisé les renseignements résumés ci-dessus à trois sources : premièrement, le compte rendu que la société a été priée de présenter sur l'état, à la fin de l'année financière 1972-1973, de toutes les recommandations formulées à l'issue des études spéciales; deuxièmement, les réunions, la correspondance et les conversations téléphoniques subséquentes avec le personnel d'Air Canada en vue d'obtenir des renseignements supplémentaires; enfin, une tournée des principaux aéroports canadiens faite en octobre 1973 par des représentants du Commissaire accompagnés, entre autres, d'employés d'Air Canada.

### *Etude spéciale d'Ottawa*

A la suite de cette étude, le Commissaire a formulé, en 1970, quatre recommandations pour que les locaux et la publicité d'Air Canada reflètent un bilinguisme authentique, pour que la compagnie serve sa clientèle dans les deux langues à ses comptoirs à l'aéroport et à ses bureaux commerciaux d'Ottawa et pour qu'elle annonce les vols et en anglais et en français.

Une vérification épistolaire a révélé qu'en février 1972, les deux recommandations visant les locaux et la publicité étaient presque entièrement mises en œuvre. La tournée d'inspection des aéroports canadiens, en octobre 1973, a permis de constater que les panneaux étaient effectivement bilingues à l'aéroport international d'Ottawa, mais que les annonces n'y étaient pas toujours faites dans les deux langues officielles. Air Canada, dans son compte rendu, daté du 13 juin 1973, indiquait qu'elle avait mis en œuvre les quatre recommandations du Commissaire. La société affirmait que tout son personnel anglophone

rations récentes et certains projets très prometteurs, les efforts de la société pour se conformer à la Loi sur les langues officielles ont été parcimonieux et sporadiques.

Le Commissaire, à la suite de quatre études spéciales menées par son personnel entre 1970 et 1972, a présenté 59 recommandations à Air Canada. Il en a formulé 37 autres après l'instruction des 109 plaintes reçues au cours des trois dernières années financières. En substance, il recommandait à Air Canada d'offrir activement des services dans les deux langues officielles dans tous ses bureaux et avions comme l'exige — à part quelques exemptions mineures précisées par le législateur — l'article 10 de la loi. Ses recommandations visaient également à ce que la société observe l'égalité de statut des deux langues officielles dans ses communications avec le public, que ce soit par le truchement de panneaux, de formules, d'annonces ou de publications.

Plusieurs de ces recommandations prévoyaient des délais d'application, mais peu ont été respectés. Air Canada a tardé à donner suite aux recommandations du Commissaire, en partie parce qu'elle hésitait, au départ, à accepter le principe d'offrir aux voyageurs, sur l'ensemble de son réseau, des services dans les deux langues officielles. En outre, la société jusqu'à ces derniers mois, a fait preuve de ténacité et s'est montrée avare de ses efforts — ce qu'illustrent non seulement le retard qu'elle a mis à répondre aux plaintes, en cherchant, le plus souvent, à se justifier, mais encore le minuscule effectif du siège que la haute direction accepte d'affecter à la réforme linguistique.

À en juger par la nature des plaintes reçues et la réaction de la société à celles-ci, il appert qu'en dépit d'exemples contraires louables mais trop rares, les services au public dans la langue officielle préférée par le client sont d'habitude laissés au petit bonheur; souvent ils n'existent même pas. L'expérience du Commissaire révèle de plus que la société ne pouvait pas assurer avec certitude un service en français dans les avions en partance ou à destination des régions situées à l'ouest, au nord ou au sud de Toronto. En effet, il était possible, en septembre 1973 encore, que des équipages ne soient composés que d'anglophones unilingues. D'ailleurs, même lorsqu'il y avait du personnel navigant bilingue à bord des avions, les services n'étaient souvent pas offerts en français. La société n'a pas assez clairement fait comprendre à la plupart de ses employés le sens de ses directives sur la nécessité de faire les annonces dans les deux langues et de prendre l'initiative d'offrir aux passagers des services dans la langue de leur choix. En outre, la société n'était pas en mesure de pouvoir assurer un service régulier en français aux guichets de nombre de ses bureaux hors du Québec. En septembre 1973, la société aérienne nationale du Canada n'avait qu'un faible effectif bilingue à son bureau de Sudbury, bien que 33 p. 100 de la population de la ville soient de langue maternelle



*Du point de vue de la Loi sur les langues officielles, Air Canada n'a pas encore vraiment effectué son décollage. Malgré quelques amélio-*

## APPRECIATION

AIR CANADA — « J'ai mon voyage »

D'autre part, le ministère a regretté de n'avoir distribué au préalable qu'une documentation unilingue anglaise et a promis de faire en sorte que cela ne se reproduise plus.

Des membres du bureau du Commissaire ont discuté avec des représentants du ministère de la formule adoptée pour la tenue de séminaires et ont même assisté à une séance de travail. Ils ont pu constater que francophones et anglophones s'exprimaient librement dans leur langue et qu'un moniteur bilingue résumait fort bien les exposés faits dans chaque langue. Toutefois, le ministère était conscient de l'archaïsme du procédé et était d'avis que la traduction simultanée serait préférable. Il a donc décidé de fournir un tel service en 1974.

Le plaignant fait grief au ministère de ne pas offrir de service de traduction simultanée lors de séminaires d'information pour les vétérinaires francophones et anglophones. De plus, il lui reproche d'avoir fait parvenir aux participants de la documentation rédigée en anglais seulement.

*Dossier n° 1593—Service de traduction*

Le Commissaire a recommandé au ministère de corriger la situation, ce qu'il fit en publiant une formule en français.

Un Franco-albertain se plaint qu'une formule relative à la mise en valeur de fourragères (Grassland Incentive Program) n'existe pas en français.

*Dossier n° 1301—Formules*

3) A Saskatoon, tout le personnel était unilingue. Toutefois, comme ce bureau devrait servir le public d'un futur district bilingue, le ministère avait l'intention d'offrir aux employés actuels la possibilité de suivre des cours de langue.

l'intention de s'assurer qu'un préposé aux opérations, un préposé aux projets spéciaux et une sténographe seraient bilingues. Ceci permettrait au bureau d'avoir une capacité bilingue dans ses trois directions principales : formation, communications, opérations dans les bureaux régionaux. De plus, quarante employés de ce bureau devaient commencer à suivre des cours de langue au mois de février 1973.

Considérant l'intérêt du Conseil du trésor pour le bilinguisme, le Commissaire lui a transmis copie de sa lettre au ministre au sujet de cette plainte.

Le Conseil du trésor a tout d'abord rappelé que le fait d'exiger la connaissance de l'anglais et du français pour les postes à Ste-Foy et de n'exiger par contre que la connaissance de l'anglais pour les postes de Guelph et de Saskatoon allait à l'encontre du principe de l'égalité des chances à la fonction publique et il a émis l'avis que, le bureau de Ste-Foy n'étant pas un bureau principal, il était peu probable que les services au public anglophone dans cette région requerraient des titulaires bilingues pour ces trois postes. Le Conseil du trésor suggérerait en conséquence au ministre de n'exiger le bilinguisme que pour un seul poste et de déclarer les deux autres unilingues français. Il soulignait qu'en aucun cas la connaissance de l'anglais devrait être exigée à Ste-Foy pour faciliter les communications avec Guelph.

Quant aux postes au bureau principal de Guelph, le Conseil a remarqué que les exigences linguistiques devraient être établies en vue d'assurer d'une part, des services au public dans les deux langues officielles et d'autre part, les communications avec le bureau de Ste-Foy en français.

Après avoir étudié cette question à la lumière des articles 2, 9(1) (2) et 39(4) de la loi, le Commissaire a fait au ministre les recommandations suivantes :

1) Dans le cas de Ste-Foy, le Commissaire s'est déclaré d'accord avec les suggestions du Conseil du trésor quant à la désignation d'un poste bilingue et des deux autres unilingues français.

2) Dans le cas de Guelph, le Commissaire a recommandé que l'on crée un nombre suffisant de postes bilingues afin de veiller à ce que a) le public soit servi dans les deux langues officielles, b) le bureau de Ste-Foy puisse communiquer et être servi en français, et c) les cours de formation soient donnés dans les deux langues officielles.

Le ministre a réagi favorablement à ces suggestions et recommandations et les décisions prises à cet égard se résument comme suit :

1) A Ste-Foy, seul le poste de directeur régional serait désigné bilingue; le bilinguisme ne serait pas exigé du directeur régional adjoint et finalement les deux postes de préposés aux opérations seraient déclarés unilingues.

2) A Guelph, un nouveau poste de chef des bureaux régionaux (dont relevaient les directeurs régionaux) serait désigné bilingue, de même qu'un poste de préposé à la formation. D'autre part, le ministre avait

Le ministère a fait savoir au Commissaire qu'il était en mesure de satisfaire aux exigences de la loi aux quatre endroits mentionnés. Il a ajouté qu'entre vingt-cinq et trente de ses employés à Kentville et plusieurs autres à Charlottetown suivraient des cours de langue dès décembre 1972 et que, pour les employés de Winnipeg, ces mêmes cours commenceraient au début de 1973. Le chef de la Section Acquisitions d'Ottawa était déjà bilingue.

Enfin, le ministère a fait remarquer que les tournées de recrutement relevaient de la Commission de la fonction publique, mais qu'il aimerait que, dans ce domaine, la coordination soit plus poussée, ce qui lui permettrait de remédier à la pénurie de personnel francophone. Pour sa part, la Commission de la fonction publique a rappelé qu'il revenait aux ministères intéressés de déclarer tel ou tel poste « bilingue ». Les statistiques indiquaient, en effet, qu'elle était toujours parvenue, ces dernières années, à trouver des titulaires bilingues. Par exemple, 80 des 329 bibliothécaires de la catégorie LS étaient bilingues tandis qu'aux niveaux LS 1 et LS 2 la proportion atteignait 25 p. 100. Elle a également signalé qu'aux termes des nouvelles directives du Conseil du trésor, elle pourrait élargir sa base de sélection en prenant en considération la candidature de personnes qui consentiraient à acquérir les connaissances voulues dans l'autre langue.

• Le plaignant fait remarquer au Commissaire que selon l'avis de concours 72-AGR-0-367 A, on exige la connaissance de l'anglais et du français pour trois postes à pourvoir au bureau régional de CANFARM à Ste-Foy (Québec). Par contre, un autre avis de concours (72-AGR-0-367) pour des postes à pourvoir au bureau principal de CANFARM à Guelph, ne mentionne que la connaissance de l'anglais comme exigence linguistique. Comme le bureau régional de Ste-Foy relève du bureau principal de Guelph, le plaignant se demande si la connaissance de l'anglais n'est pas exigée à Ste-Foy simplement parce que le bureau principal de Guelph ne peut communiquer en français. Le plaignant ajoute que cet avis de concours comprend un autre poste à combler à Saskatoon pour lequel seule la connaissance de l'anglais est exigée.

Dans une première réponse, le ministère a indiqué au Commissaire qu'après avoir analysé la nature des services rendus par les titulaires de ces postes à Ste-Foy au public anglophone (125 agriculteurs, universités de langue anglaise, entreprises commerciales liées à l'agriculture), il avait jugé nécessaire de déclarer bilingues les trois postes.

Quant au bureau de Guelph, le ministère admettait que sa capacité bilingue était limitée.



Le fait que seule la version anglaise d'un avis de concours à des postes de bibliothécaires à pourvoir au ministère de l'Agriculture avait été affichée. Un Franco-manitobain formule une plainte identique.

La Commission de la fonction publique a fait imprimer une nouvelle affiche bilingue. Dans la version anglaise on pouvait lire que la connaissance de l'anglais était la seule condition linguistique, tandis que dans la version française on précisait que les candidats devraient savoir les deux langues.

Dans une seconde lettre, les plaignants s'interrogent sur les conditions linguistiques de ce nouvel avis de concours, soulignant que, pour un certain nombre de postes, la connaissance des deux langues semble s'imposer. La Commission de la fonction publique a reconnu que l'avis de concours en question était erroné et a avisé le Commissaire que ces postes avaient de nouveau été déclarés « à pourvoir », la connaissance de l'anglais étant, cette fois, seule essentielle.

Le Commissaire a alors abordé la question avec le ministère, qui lui a expliqué que quatre postes étaient vacants : à Charlottetown, Kentville (Nouvelle-Ecosse), Winnipeg et Ottawa. Les titulaires des trois premiers auraient pour fonctions de fournir un service interne à un personnel entièrement anglophone; quant au titulaire du dernier, celui d'Ottawa, il serait appelé dans une certaine mesure à fournir le même service à d'autres organismes ainsi qu'au public. Mais, dans cette dernière ville, cinq des vingt bibliothécaires étaient déjà bilingues, neuf autres suivaient des cours de langue et visiteurs et employés pouvaient donc toujours s'adresser à un membre du personnel parlant la langue de leur choix.

#### Le Commissaire a recommandé que :

1) le ministère remanie ses services de manière à répondre aux besoins du public, conformément aux exigences de la Loi sur les langues officielles, aux quatre endroits mentionnés et tout particulièrement à Winnipeg;

2) en ce qui concerne Ottawa, le nouveau chef de la Section Acquisition soit invité à suivre un cours de langue, étant donné les responsabilités qu'il est appelé à assumer;

3) le ministère repense son mode de recrutement de manière à s'attacher les services d'un plus grand nombre de personnes qualifiées pour des postes dont les titulaires doivent savoir le français ou être bilingues. Il lui faudrait prévoir des visites dans des milieux où il pourrait recruter du personnel et par ces contacts directs se faire mieux connaître. Il s'agirait notamment des universités, des collèges et des établissements scolaires techniques de langue française, ainsi que des centres de Main-d'œuvre des régions francophones.

• Un fonctionnaire du ministère travaillant au Québec se plaint qu'on n'exige que la connaissance de l'anglais dans un avis de concours pour le poste de directeur de la Division de la formation et du perfectionnement à la Direction de l'hygiène vétérinaire, à Ottawa. A son avis, les exigences linguistiques devraient également comprendre la connaissance du français.

L'instruction a été menée en vertu de l'article 39 (4) de la loi afin de vérifier si la Division de la formation et du perfectionnement était en mesure d'offrir au public des services adéquats dans les deux langues officielles.

Dans une première réponse, le ministère a informé le Commissaire que le poste de directeur ne comportait aucun rapport avec le public et que la direction, qui comptait déjà trois employés bilingues, pouvait s'acquitter de ses fonctions dans les deux langues officielles. Le Commissaire a alors demandé au ministère de plus amples renseignements, étant donné que l'avis de concours stipulait clairement que le titulaire devait maintenir des relations avec le public, par exemple avec les associations professionnelles et les universités. Le Commissaire lui a également rappelé qu'il était important de tenir compte de la nécessité d'offrir au public des services d'égale qualité dans les deux langues officielles. C'est pourquoi il a recommandé que le titulaire du poste de directeur soit bilingue ou du moins soit disposé à le devenir le plus tôt possible.

Le ministère a précisé par la suite qu'en règle générale, les communications avec l'université de Montréal et l'École de médecine vétérinaire de St-Hyacinthe se faisaient par le truchement du bureau régional de l'hygiène vétérinaire de Montréal, désigné comme unité de langue française. D'autre part, lorsque ces institutions devaient communiquer avec l'administration centrale à Ottawa, le directeur-adjoint (qui était bilingue) se chargeait de leur répondre. Le ministère s'est dit finalement d'accord avec la recommandation du Commissaire et a indiqué qu'il en serait tenu compte lorsqu'on choisirait un nouveau titulaire : si ce dernier n'était pas bilingue, il devrait être prêt à le devenir en priorité.

Le Commissaire en a conclu que la Division de la formation et du perfectionnement satisfaisait aux exigences de la Loi sur les langues officielles en ce qui concerne la nécessité de servir le public en français ou en anglais, sans qu'il soit nécessaire de désigner le poste de directeur.

• Des membres du personnel d'une université québécoise envoient au Commissaire copie d'une lettre qu'ils ont adressée collectivement à la Commission de la fonction publique et dans laquelle ils s'élèvent contre

Suite à une recommandation du Commissaire, le ministère a pris les mesures nécessaires pour faire poser le plus tôt possible à cet endroit soit un panneau bilingue, soit un panneau unilingue français qui côtoierait le panneau anglais.

Quant à la mise en vigueur des modalités provisoires du Programme de diffusion du symbole fédéral.

Une association culturelle francophone signale que les deux côtés du panneau indicateur situé à l'entrée de la Station de recherches de

#### *Dossier n° 1040—Panneau indicateur*

La seconde partie de la plainte ne relevait pas de la compétence du Commissaire mais a quand même été portée à l'attention de la Commission de la fonction publique. Celle-ci a confirmé que le ministère étudiait depuis quelque temps certains projets qui permettaient d'engager plus de scientifiques canadiens-français. Pour sa part, la Commission tentait d'augmenter le nombre de scientifiques canadiens-français dans la fonction publique en organisant chaque année une importante campagne de recrutement dans les universités du Québec.

Le ministère lui a fait savoir par la suite qu'un technicien francophone était entré en fonction au début d'avril 1973 et qu'une secrétaire bilingue avait été engagée à partir du 26 juin de la même année.

Le Commissaire a demandé au ministère de le tenir au courant des résultats de la campagne de recrutement entreprise à cet effet.

Le ministère a alors précisé qu'il avait songé (avant même que la plainte ne soit portée à son attention) à une réorganisation de ses services de soutien techniques et administratifs qui tiendrait compte de sa politique de bilinguisme et des besoins de la direction mentionnés dans cette plainte. À cet effet, on a pourvu la direction d'un nouveau poste de technicien et d'un poste de sténographe bilingue.

En ce qui concerne la première partie de la plainte, le ministère a indiqué au Commissaire qu'il y avait, en tout temps, une bonne même offre de faire dactylographier son travail à l'extérieur. Pour ce qui est des techniciens, le ministère a admis qu'il n'y avait pas de technicien bilingue dans le service où travaillait le plaignant. À la suite de ces explications, le Commissaire a recommandé au ministère d'assurer au plaignant des services de soutien administratifs (secrétaire et technicien) en français de même qualité que ceux dont jouissaient ses collègues anglophones.



(3) que tous les écritureaux, extérieurs et intérieurs, des secteurs où le public a accès soient établis correctement dans les deux langues officielles et soient mis en place au Bureau du district de Moncton d'ici le 31 décembre 1972;

(4) que toutes les formules et publications unilingues actuelles réalisées par l'administration centrale ou le Bureau du district de Moncton et distribuées au public par le bureau de Moncton se présentent dans les deux langues officielles d'ici le 31 mars 1973 pour les formules et d'ici le 31 décembre 1973 pour les publications;

(5) que toutes les formules et publications destinées au public et utilisées au Bureau du district de Moncton soient automatiquement publiées à l'avenir dans les deux langues et de préférence sous la même couverture chaque fois que cela sera possible;

(6) qu'en particulier, l'*Atlantic Provinces Weekly Livestock Market Report* publié par le Bureau du district de Moncton soit rédigé dans les deux langues officielles;

(7) que tous les employés répondant à des appels téléphoniques émanant du public déclinent toujours le nom de la division dans les deux langues officielles;

(8) que les employés qui répondent aux appels téléphoniques émanant du public et qui ne parlent pas couramment la langue du demandeur—que ce soit le français ou l'anglais—sachent au moins indiquer au demandeur, dans sa propre langue, que son appel va être transmis à un autre employé qui sera à même de le servir dans la langue voulue;

(9) que le Bureau du district de Moncton fasse un effort particulier pour recourir aux différents organes d'information en français lorsqu'il s'agit de diffuser des communiqués de presse, des nouvelles et/ou des renseignements sur les programmes, que ces informations soient lancées de Moncton ou qu'elles émanent de l'administration centrale;

(10) que les services offerts au public soient automatiquement dans les deux langues officielles au lieu de l'être seulement sur demande expresse.

## PLAINTES

*Dossier n° 1014—Un scientifique raconte...*

Un scientifique francophone au service du ministère se plaint de ne pas pouvoir travailler dans sa langue avec autant d'efficacité que ses collègues anglophones, et ce, faute de personnel de soutien administratif (secrétaire et technicien) connaissant suffisamment le français.

Il souligne également que le peu d'intérêt manifesté par les étudiants francophones pour la botanique pourrait provenir du fait que la fonction publique fédérale emploie peu de francophones dans ce domaine.

restait encore 20 candidats à satisfaire; et comme la région de Moncton était relativement peu équipée pour l'enseignement des langues, le bureau du district devrait donc avoir davantage recours aux services de la Commission de la fonction publique à Ottawa.

A propos du bilinguisme visuel, le ministère de l'Agriculture a diffusé une note datée de mai 1972 enjoignant les divisions et directions du ministère de rendre bilingue toute leur signalisation; mais l'équipe a remarqué que seules des inscriptions en anglais figuraient sur certains panneaux d'information et de direction à usage interne. En général, tous les formulaires destinés au public étaient bilingues, sous diverses présentations; un certain nombre de publications ne l'étaient toutefois pas. Ainsi, *l'Atlantic Livestock Market Report* (Rapport sur le marché du bétail dans les provinces de l'Atlantique), distribué aux deux groupes linguistiques, n'existait qu'en anglais.

Dans la plupart des cas où il était en rapport avec le public, le bureau de Moncton se conformait aux dispositions de la Loi sur les langues officielles. Chaque section était en mesure de répondre convenablement au peu de courrier en français qu'elle recevait. Au téléphone, le bureau se présentait en anglais uniquement, mais au besoin, les appels en français étaient transmis à un employé bilingue. Le bureau utilisait relativement peu les grands moyens de communication, n'y recourant en général que sur demande expresse de ces derniers. Le bureau s'efforçait tout particulièrement de transmettre aux organes d'information francophones tous les communiqués, informations et renseignements concernant les programmes, diffusés à l'échelon local ou par l'administration centrale.

Enfin, il convient de noter que la gamme complète des services bilingues du bureau n'était pas toujours offerte automatiquement et spontanément aux deux groupes linguistiques, comme l'exige l'égalité de statut des deux langues officielles. Ainsi, le bureau, qui offrait presque systématiquement ses services en anglais, ne les fournissait souvent en français que sur demande expresse.

Le Commissaire a formulé les recommandations suivantes :

(1) que, quelle que soit la langue de travail exigée pour un poste donné, le Bureau du district de Moncton stipule, en signalant ses postes vacants et ses concours à la Commission de la fonction publique pour qu'elle les fasse connaître et se charge des annonces à faire passer, que ces vacances et ces concours sont à faire paraître à la fois en français et en anglais sur les affiches et dans la presse française et anglaise de façon à toucher absolument tous les candidats éventuels;

(2) que l'on songe sérieusement à recruter un plus grand nombre de bilingues et de francophones unilingues dans les catégories techniques et de soutien administratif à titre permanent de façon à assurer au public des services dans les deux langues officielles;

Le ministère reconnaît cependant que son niveau de bilinguisme ne lui permet pas encore de fournir des services adéquats à son public dans les deux langues officielles et il entend remédier à cette situation d'ici 1978.

## ETUDE SPÉCIALE — MONCTON

Cette étude avait pour but d'examiner dans quelle mesure le ministère offrait au public des services bilingues à son bureau de district de Moncton. L'équipe s'est particulièrement intéressée au fonctionnement du bureau de district, dont la compétence s'étend aux quatre provinces de l'Atlantique, et qui a essentiellement affaire à d'autres ministères et organismes publics, à des entreprises privées, à des spécialistes et à des techniciens ainsi qu'au grand public.

Les résultats de l'étude ont montré que le bureau était conscient, jusqu'à un certain point, de la nécessité d'un bilinguisme institutionnel, mais ils ont également mis en lumière quelques lacunes dans les efforts déployés pour satisfaire ce besoin. Tout employé affecté à un poste de relations avec le public devait pouvoir travailler, soit en anglais, soit dans les deux langues. Sur 59 d'entre eux, quatorze seulement étaient bilingues; cinq autres possédaient quelques rudiments de français. Chacune des huit sections du bureau de Moncton pouvait offrir des services bilingues, mais quelques-unes n'avaient pas de personnel de soutien bilingue. Toutefois, comme les personnes ayant affaire au bureau de district constituaient un public assez particulier, elles étaient vraisemblablement servies de manière satisfaisante dans les deux langues.

Le ministère éprouvait des difficultés considérables à recruter du personnel bilingue et unilingue français pour les postes d'agents agricoles. Seuls deux établissements d'enseignement supérieur francophones au Canada offraient un programme d'études en agriculture et leurs diplômés étaient très recherchés à tous les niveaux, aussi bien dans les fonctions publiques fédérale et provinciales que dans le secteur privé. Pour recruter des techniciens et des employés, le bureau passait des annonces précisant la langue requise dans la presse de cette même langue. Les postes exigeant la connaissance de l'anglais étaient annoncés dans la presse anglaise uniquement et les postes demandant la connaissance du français l'étaient seulement dans la presse française. L'équipe a remarqué que cette pratique pouvait léser de nombreux bilingues ne lisant les journaux que dans une seule langue.

Au cours des trois années précédant l'étude, neuf membres du bureau de district de Moncton s'étaient inscrits à des cours de français. En outre, depuis septembre 1972, d'autres employés étaient admis à suivre des cours de français à l'université de Moncton. Malgré cela, il



en son pouvoir pour trouver des moyens d'accélérer la production de formules et de documents bilingues afin de répondre le plus tôt possible aux exigences de la loi.

Le Commissaire a instruit neuf plaintes contre le ministère de l'Agriculture. Celui-ci a réagi de façon assez positive. Les unes concernaient le service au public (formules, services de renseignements, panneaux indicateurs et correspondance); les autres avaient trait à la langue de travail (documents de travail émanant de l'administration centrale à l'intention de fonctionnaires du Québec, exigences linguistiques sur des avis de concours, manque de personnel de soutien pouvant travailler en français). À la suite de l'intervention ou des recommandations du Commissaire, le ministère a fait traduire les documents de travail (circulaires) publiés en anglais seulement; les exigences linguistiques des avis de concours ont été révisées de façon que le futur titulaire du poste annoncé contribue à ce que la division dont il fera partie soit en mesure d'offrir un service conforme aux dispositions de la loi.

En réponse au questionnaire que lui envoyait le Commissaire en octobre 1973, le ministère a décrit certaines des activités qui s'insèrent dans le cadre de son propre programme de bilinguisme lancé en 1968 et a défini dix grands objectifs concernant le service au public et l'utilisation des deux langues officielles au sein de son administration.

D'après le ministère, le programme regroupe des éléments divers comme les examens de la connaissance de la langue seconde, la formation linguistique, le maintien de l'acquis (comprenant différentes activités culturelles et linguistiques, le recours aux moniteurs, l'incitation à rédiger en français et l'affectation de personnel anglophone dans des U.L.F.), les treize unités de langue française et, enfin, un programme de développement bicultural. Toutefois, selon le ministère, des administrateurs et des « professionnels » peuvent ainsi travailler dans des bureaux où la deuxième langue officielle est prépondérante.

Le conseiller en bilinguisme, responsable du programme, travaille en étroite collaboration avec le comité sur le bilinguisme qui est composé de hauts fonctionnaires du ministère. Il semble qu'une évaluation de l'application du programme est faite tous les deux ou trois mois.

Au chapitre des imprimés destinés au public — formules, publications et autres documents — le ministère indique qu'ils sont pour la plus grande part diffusés dans les deux langues officielles. En règle générale, les affiches, les avis et les plaques portent les désignations anglaise et française du ministère ou de ses différents services.

Quant aux documents d'usage interne, l'objectif est l'édition bilingue des formules, d'ici mars 1974, et des manuels, au plus tard en décembre 1975. Les cours de formation professionnelle sont eux aussi en voie de devenir bilingues.

Le ministère a également commencé à appliquer la partie de la recommandation qui concerne les formules. En raison de problèmes de recrutement et du grand nombre de formules à réviser, seulement 50 p. 100 des formules du ministère destinées au public et 3,5 p. 100 de celles qui étaient réservées aux employés étaient bilingues en septembre 1973. Le ministère a fixé respectivement à mars 1974 et mars 1976 les échéances pour rendre bilingues ces deux catégories de formules. Le Commissaire a insisté pour que le ministère fasse sans tarder tout

Le ministère a déclaré que son bureau de district de Moncton servait désormais automatiquement le public dans les deux langues officielles. Il a ajouté que toutes les nouvelles publications étaient bilingues et que toutes les anciennes publications unilingues avaient été abandonnées. Les communications écrites ou orales se font maintenant soit en français soit en anglais, selon la langue de la personne qui demande le service.

Le ministère a déclaré que son bureau de district de Moncton a la suite d'une étude spéciale du bureau de district de Moncton, le Commissaire a formulé dix recommandations. Le ministère a immédiatement pris des mesures pour leur donner suite. Il en avait appliqué sept en février 1973 et neuf en septembre 1973.

Pour rendre les efforts qu'il déploie en vue d'appliquer la Loi sur les langues officielles plus fructueux, le ministère a volontiers passé au crible les causes des plaintes reçues par le Commissaire. Il a en outre pris rapidement des mesures pour donner suite aux recommandations de ce dernier visant le bureau de district de Moncton. En général, le ministère semble agir avec sérieux et méthode afin que la loi devienne une réalité à la fois pour le public et son propre personnel.

## APPRECIATION

### AGRICULTURE — « La verte moisson »

De l'avis du Commissaire, l'A.C.D.I., en suivant les dispositions de la Loi sur l'emploi dans la fonction publique, avait tenu compte des exigences de la Loi sur les langues officielles. Le Commissaire a néanmoins abordé ce cas de façon officielle avec le président de la Commission de la fonction publique, à qui le plaignant s'était également adressé. Il a été décidé d'accorder un congé d'études à l'intéressé, à l'issue duquel un poste adéquat lui serait assuré.

En dépit des efforts déployés par l'intéressé et son employeur, la Commission de la fonction publique n'est pas parvenue à lui trouver un emploi équivalent.

été heureux d'apprendre du ministre qu'il avait « le désir et l'intention de se conformer aux exigences et aux principes de la loi ».

AGENCE CANADIENNE DE DÉVELOPPEMENT INTERNATIONAL

RÉSUMÉ

L'A.C.D.I. estime pouvoir offrir de façon satisfaisante des services au public dans les deux langues officielles. Elle signale en outre que le travail : environ 350 employés travaillent en français et quelque 400 en anglais.

En réponse au questionnaire du Commissaire, l'Agence a déclaré que depuis août 1971, elle avait pour politique de servir le public conformément à la Loi sur les langues officielles et d'encourager l'usage du français au même titre que celui de l'anglais comme langue de travail. Elle a prévu de mener à bien son programme de bilinguisme d'ici 1975. Les services de bilinguisme, d'information et d'administration de l'Agence se partagent la responsabilité de ce programme sous la direction du vice-président de l'administration. Apparemment, le Conseil du trésor a contrôlé la mise en œuvre des programmes de bilinguisme de l'A.C.D.I., mais la Direction générale de la vérification des opérations de l'Agence doit terminer sa propre évaluation du bilinguisme d'ici 1974.

L'Agence a cherché à assurer des services bilingues en s'arrangeant pour avoir suffisamment de personnel travaillant dans l'une ou l'autre des deux langues officielles pour répondre aux besoins plutôt qu'en repérant des postes bilingues.

PLAINTÉ

*Dossier n° 1017—Recherchons personne bilingue*

Un fonctionnaire anglophone vient trouver le Commissaire pour se plaindre de ce qu'on agit de façon discriminatoire à son égard à cause de son unilinguisme. Il rapporte avoir été écarté de son emploi antérieur pour cette raison, avoir été nommé par la suite à divers postes toujours à titre provisoire, pour remplir actuellement des fonctions dont il peut être déchargé à tout moment. Il perçoit toujours le traitement attaché à son ancien titre de directeur, mais s'est vu signifier



dans la région de l'Ouest grâce à l'affectation de 55 étudiants bilingues et de cinq professeurs de français. La révision de la signalisation était également à l'ordre du jour.

- Des francophones visitent au début de juillet 1972 le parc national de Fundy. Ils se plaignent de ne pouvoir obtenir de services en français au centre de renseignements et au terrain de camping. De plus, ils font remarquer qu'il n'y a pas de brochures disponibles en français et que des étiquettes identifiant la flore sont imprimées en anglais seulement. Le ministère a répondu qu'au parc national de Fundy, trois des six employés aux renseignements, quatre des onze préposés au terrain de camping et deux des neuf guides naturalistes étaient bilingues. Malheureusement, au moment où les plaignants ont visité le parc, tout le personnel bilingue n'était pas encore entré en fonction.

Le Commissaire a recommandé au ministère de veiller, par un déploiement plus judicieux de son personnel, à ce que ses services soient offerts en tout temps dans les deux langues officielles. Pour ce qui est des étiquettes unilingues identifiant certaines plantes, elles devaient servir au programme de formation des guides naturalistes et ont depuis été supprimées.

- Un francophone se plaint de l'unilinguisme des écrans installés aux abords du pont Hog's Back à Ottawa, qui relèvent du Bureau du Canal Rideau du ministère.

Le ministère a indiqué au Commissaire qu'aussitôt la plainte signalée, des mesures avaient été prises pour remplacer les écrans unilingues par d'autres bilingues.

- Selon une anglophone, seuls des candidats bilingues ont été engagés, pour l'été 1972, comme guides au fort Wellington de Prescott (Ontario), lieu historique national qui relève du ministère.

Celui-ci a fait savoir au Commissaire que, pour l'endroit et la période auxquels il était fait allusion, le ministère avait engagé trois guides bilingues et deux autres anglophones unilingues, afin d'être en mesure d'assurer des services bilingues à un public appartenant aux deux groupes linguistiques officiels.

Le Commissaire a transmis ces précisions à la plaignante, en attirant son attention sur le fait qu'il n'y avait pas eu contravention à la Loi sur les langues officielles.

## AFFAIRES URBAINES

### RÉSUMÉ

Le ministère a trouvé difficile de répondre au questionnaire du Commissaire « de façon simple et concise ». Le Commissaire a toutefois

Jusqu'à ce qu'on ait trouvé une solution au problème, le ministère

n'avait d'autre alternative que de suspendre toute publication en français pour la saison 1972 dans les régions où il n'y avait pas de personnel compétent pour assurer une traduction convenable. Ainsi, le travail de traduction serait vérifié par les fonctionnaires du ministère à Ottawa. Cela devait entraîner un retard dans la publication. Le ministère a ajouté qu'il agissait de cette façon car il estimait qu'un retard était préférable au risque de froisser les visiteurs francophones. Le Commissaire a recommandé au ministère de tout mettre en

œuvre pour concilier rapidité et qualité dans la traduction. Pour donner suite à cette recommandation, une soumission globale détaillant les besoins supplémentaires en personnel et en matériel a été présentée au Conseil du trésor. Du personnel additionnel a été accordé au ministère lui permettant ainsi d'affecter à Ottawa et dans ses bureaux régionaux cinq coordonnateurs et trois commis. Leur tâche devait consister à coordonner la mise en œuvre des recommandations qu'avait faites le Commissaire à la suite d'une étude spéciale réalisée par ses services sur les parcs nationaux. Le budget destiné à couvrir les coûts du matériel et de la main-d'œuvre (panneaux indicateurs, publications, etc.) au 1<sup>er</sup> décembre 1972 était encore au stade de la discussion avec le Conseil du trésor. Le ministère a tenu à préciser au Commissaire que l'allocation de ces ressources supplémentaires conditionnait la mise en œuvre d'un certain nombre de recommandations.

Des représentants du ministère, de concert avec des agents du bureau du Commissaire, ont procédé à un examen des recommandations et ont convenu des améliorations réalisables en 1972-1973 compte tenu du budget alloué à cet effet.

En ce qui concerne la signalisation, un nouveau concept bilingue, incluant l'utilisation de pictogrammes, a été utilisé à titre expérimental au parc national de Fundy, dans le but de connaître les réactions du public. Ceci s'inscrivait dans le cadre de la révision générale de la signalisation et, si l'expérience s'avérait concluante, ce système serait étendu à l'ensemble des parcs nationaux et sites historiques du pays. Le ministère s'est de plus engagé, dans la mesure de ses limites budgétaires, à mettre à la disposition des visiteurs des publications dans les deux langues officielles.

• Trois francophones se plaignent des écritureaux, de la documentation et du service dans les parcs nationaux de l'Ouest.

Le Commissaire, à la suite d'une étude spéciale, a soumis au ministère une série de recommandations. En octobre 1972, ce dernier faisait savoir au Commissaire qu'il avait entrepris de mettre sur pied les structures administratives nécessaires à la concrétisation de ces recommandations. Ainsi, pour la saison 1972, le service avait été amélioré

Le ministère a indiqué que des directives au sujet des communications internes constitueraient l'un des éléments de sa politique de bilinguisme alors en préparation. Entre-temps, on appliquerait la section pertinente du Manuel du personnel qui donne à l'auteur d'une communication interne le choix de l'une ou de l'autre langue officielle.

*Dossier n° 1030—Serment d'allégeance*

Un employé francophone au parc national Fundy, au Nouveau-Brunswick, déclare avoir été contraint de signer son serment d'allégeance sur la partie anglaise de la formule même après s'y être objecté. Peu de temps après que le Commissaire eut saisi le ministère de cette plainte, le correspondant informait le Commissaire que ses supérieurs lui avaient finalement permis de signer la version française du document en question. Néanmoins, le ministère tenait à informer le Commissaire du bien-fondé de la plainte.

Apparemment, l'administrateur du parc aurait mal interprété la loi provinciale qui concerne la prestation du serment au Nouveau-Brunswick. Cette loi stipule que la personne qui fait prêter le serment doit la lire. L'administrateur a refusé d'accéder à la demande de l'employé de prêter serment en français sous prétexte qu'il ne pouvait lui-même lire ni comprendre le français. Pourtant, dans la prestation du serment, ce qui importe c'est que l'employé signe la formule et assure l'administrateur qu'il comprend ce qu'il signe. Ceci a été expliqué à l'administrateur qui a alors consenti à faire prêter serment à l'employé en français.

A la suite de cet incident, le directeur régional à Halifax a écrit à tous les agents administratifs des parcs de la région de l'Atlantique les enjoignant de respecter le choix des employés quant à la langue officielle dans laquelle ils désirent prêter serment.

*Dossiers nos 690, 1143, 1150, 1180, 1250, 1299, 1671—Information dans les parcs nationaux et sites historiques*

• Un vacancier séjournant en Nouvelle-Ecosse rapporte au Commissaire la mauvaise qualité du français d'un dépliant publicitaire vantant les charmes de la plage d'Ingonish dans le parc national du Cap-Breton.

Le ministère a informé le Commissaire que la traduction du dépliant n'avait pas été approuvée par son personnel à Ottawa. Cependant, celui-ci a reconnu que ce fait ne justifiait pas la publication de textes français boiteux. Il avait déjà fait des démarches auprès du Secrétariat d'État en vue d'obtenir un bon service régional de traduction.



• Le plaignant fait grief au ministre d'exiger uniquement la connaissance de l'anglais dans des concours pour les postes de directeur général de la Section de la commercialisation de l'artisanat indien et de secrétaire exécutif pour le Comité interministériel des affaires indiennes et esquimaudes. Il est d'avis que le fait d'exiger la connaissance de l'anglais sans raisons professionnelles évidentes privilégie les anglophones et contrevient aux intentions du législateur qui a reconnu aux français et à l'anglais « un statut, des droits et des privilèges égaux quant à leur emploi dans toutes les institutions du Parlement et du gouvernement du Canada ».

Le ministre a répondu qu'il avait revu les exigences linguistiques de ces postes et a précisé que la connaissance soit de la langue française, soit de la langue anglaise avait été exigée. Il a de nouveau annoncé le poste de directeur de la Section de la commercialisation de l'artisanat indien en y apportant cette modification. D'autre part, le concours pour le poste de secrétaire exécutif avait été annulé et aucune mesure n'avait été prise pour le combler.

#### *Dossier n° 1080—Communications internes*

Une employée du ministère travaillant au bureau de district à Montréal déclare que la correspondance entre son bureau et le bureau central à Ottawa est habituellement rédigée en anglais. En outre, elle fait remarquer que « les examens de bilinguisme destinés aux officiers sont d'une complaisance exagérée, contrairement à ceux que doivent subir les membres du personnel de soutien ».

A la suite de l'intervention du Commissaire, le ministre a affirmé qu'il avait pris les dispositions nécessaires afin que la politique qu'il avait adoptée concernant le droit des fonctionnaires régionaux de choisir leur langue de communication avec Ottawa fût intégralement respectée. Quant aux tests de langue, il a ajouté que toutes les dispositions avaient été prises afin que chaque membre du personnel fût placé dans les meilleures conditions possibles. Cependant, le ministre a reconnu qu'il présentait encore une image trop unilingue anglaise et a ajouté qu'il faisait des efforts considérables dans la voie du bilinguisme, tant pour permettre à son personnel de communiquer dans l'une ou l'autre des langues officielles que pour rendre sa propre image conforme aux réalités linguistiques du Canada.

A la lumière de ces observations, le Commissaire a recommandé au ministre d'émettre des directives très fermes à l'intention de ses bureaux régionaux, rappelant à tous les employés leur droit de communiquer avec Ottawa dans la langue officielle de leur choix en les assurant qu'ils ne subiraient aucun préjudice de la part du destinataire quant au délai et à la qualité de la réponse.

• Un francophone reçoit de la Direction des parcs nationaux un avis rédigé en anglais. Il proteste auprès de l'institution et reçoit en guise de réponse une lettre rédigée en français dans laquelle l'organisme lui présente ses excuses. Malheureusement, deux autres lettres suivirent et toutes deux étaient écrites en anglais.

Le ministère a fait savoir au Commissaire qu'une enquête lui avait permis de constater qu'aucune raison valable ne pouvait expliquer un tel geste. La Direction des parcs nationaux a donc pris les mesures nécessaires pour que les droits du plaignant soient respectés et lui a présenté de nouvelles excuses. Le ministère a ajouté qu'il espérait que des incidents de ce genre ne se reproduiraient plus.

*Dossiers nos 960, 1527—Concours*

• Un anglophone signale au Commissaire qu'en mars 1972 il a posé sa candidature à un poste d'ingénieur et qu'il a été convoqué à deux entrevues. À aucune de ces rencontres il ne lui a été fait part du fait que seules les candidatures de postulants bilingues seraient retenues, quoiqu'il lui ait été demandé s'il savait le français, question à laquelle il avait répondu que sa connaissance de cette langue était limitée. On lui avait alors dit que, de toute façon, cela n'avait pas d'importance pour le poste visé.

N'ayant pas été engagé, il s'est enquis des raisons de cette décision et s'est entendu dire que si ses qualifications professionnelles étaient suffisantes, il ne maîtrisait malheureusement pas le français.

Le Commissaire lui a fait savoir qu'il n'avait pas compétence pour intervenir, parce que rien n'indiquait que le ministère n'avait pas tenu compte de l'article 39 (4) de la loi portant sur les nominations et l'avancement du personnel dont les postes comportent des fonctions relatives à la fourniture de services au public. Néanmoins, le Commissaire s'est offert à transmettre la plainte au ministère; le correspondant l'y a autorisé.

Le ministère a envoyé au plaignant une lettre dont il a transmis copie au Commissaire. L'équivoque y était expliquée ainsi: deux postes étaient à pourvoir, l'un à la Section « architecture générale », dont la langue de travail était l'anglais, l'autre à la Section « régime français », où les travaux se faisaient en français. La candidature du plaignant au premier poste avait, après examen, été écartée au profit de celle d'un autre postulant dont les qualifications et l'expérience étaient supérieures. Par ailleurs, sa connaissance du français était insuffisante, sa demande ne pouvait être retenue pour le poste à pourvoir dans l'autre section, car celle-ci comprenait la restauration de lieux et monuments historiques datant du régime français et la langue de travail y était le français.

(25) que la Division recrute, aux stations éclusières, des employés occasionnels bilingues pour les postes qui exigent un titulaire bilingue mais en sont dépourvus et les répartisse de façon que le public puisse être servi dans les deux langues officielles;

(26) que, afin d'augmenter la proportion de personnel bilingue, la Division s'efforce de trouver toutes les sources possibles de recrutement d'employés bilingues et de découvrir les moyens de faire connaître au maximum les possibilités d'emplois exigeant ce genre de personnel;

(27) que la Division veille à ce que des cours de langue soient offerts aux employés permanents occupant des postes où ils sont en rapport avec le public;

(28) que la Division, de concert avec la Direction des langues officielles du ministère, mette au point et applique un programme de formation linguistique et de maintien des connaissances acquises qui tienne compte de la nature saisonnière des activités de la Division et du temps dont dispose le personnel d'exploitation;

(29) que la Division réexamine tous ses contrats en cours avec les concessionnaires afin de déterminer les mesures à prendre pour amener ceux d'entre eux qui servent les voyageurs à se conformer à la Loi sur les langues officielles ou pour les aider dans ce sens, les conclusions de cet examen devant être communiquées au Commissaire d'ici le 30 mars 1973;

(30) qu'il soit désigné, au niveau de l'administration centrale de la Division, un responsable de la planification, de l'application, de la coordination et de la surveillance d'un programme conçu pour permettre à la Division de remplir ses obligations en vertu de la Loi sur les langues officielles;

(31) que, là où un service bilingue est à la disposition du public, ce service lui soit offert dans les deux langues officielles automatiquement, et non pas seulement sur demande expresse.

## PLAINTES

*Dossiers nos 701, 1191—Correspondance*

• Le plaignant communique en français avec l'administration centrale du ministère au sujet d'un poste à pourvoir. Un fonctionnaire du bureau du personnel lui envoie une réponse en anglais.

Le ministère a informé le Commissaire que c'était par erreur qu'il avait envoyé au plaignant une lettre en anglais et que cet impair constituait un cas isolé. Il a donné des instructions rappelant au personnel de l'administration centrale et des bureaux régionaux les exigences de la Loi sur les langues officielles et a insisté sur l'importance qu'il y avait de répondre aux demandes du public dans la langue officielle utilisée par les correspondants.



(14) que, lorsque la Division des canaux diffuse, pour l'information du public, des publications émanant d'autres services fédéraux, des mesures soient prises afin d'en assurer la disponibilité en anglais et en français;

(15) que, dans tout annuaire téléphonique local où sont inscrits la Division, un de ses bureaux locaux ou une de ses stations éclésiastiques, ils y figurent dans les deux langues officielles. La Division ferait bien, sur ce point, de se faire assister par l'Agence des télécommunications gouvernementales du ministère des Communications;

(16) que la Division veille à ce que les services téléphoniques bilingues soient en place aux bureaux de district, aux autres bureaux et aux stations éclésiastiques qui desservent les régions où vivent des collectivités composées de francophones et d'anglophones, et à l'administration centrale de la Division à Ottawa, lorsque le public peut avoir accès à ces lieux;

(17) que tout soit fait pour éliminer les retards apportés à répondre aux lettres écrites dans la langue officielle de la minorité;

(18) que des fonctionnaires de district déterminent la présence de tous les organes d'information en langue française dans les zones de leur compétence, et, le cas échéant, y aient recours, pour veiller à ce que les groupes francophones aient un égal accès à l'information dans leur propre langue;

(19) que, lorsqu'il existe des organes d'information dans les deux langues, tous les communiqués de presse diffusés par l'administration centrale ou par les bureaux de district soient transmis simultanément dans les deux langues officielles;

(20) que toutes les consignes de sécurité faisant partie du service normalment fourni aux usagers des écluses soient faites dans les deux langues officielles et que, faite du personnel bilingue nécessaire, la Division songe à utiliser, par exemple, des enregistrements;

(21) que la Division prenne les mesures voulues pour assurer un service bilingue aux voyageurs aussitôt que possible aux endroits des canaux où il se fait des communications au public;

(22) que, jusqu'à la mise en application de la recommandation 21, la Division accorde la priorité à l'établissement de ses services dans les deux langues officielles, soit en répartissant le personnel ayant la compétence linguistique voulue, soit en utilisant des employés occasionnels bilingues, à la station éclésiastique du canal de Saint-Pierre, aux extrémités des canaux du Rideau et de la Trent et à suffisamment de stations intermédiaires pour que l'ensemble du réseau ait un niveau de bilinguisme acceptable et pour qu'en même temps des services bilingues soient assurés au plus grand nombre possible de personnes intéressées;

(23) que, la où des guides donnent des explications et des renseignements dans les deux langues officielles, le public soit informé dans les deux langues par des écrans ou des prospectus, ou les deux, que de tels services sont mis à sa disposition;

(24) que, afin de répondre aux exigences du bilinguisme institutionnel, la Division fasse en sorte que les emplois permanents subalternes qui deviendront vacants seront, dans la mesure requise, occupés par du personnel bilingue, de manière à assurer les services dans les deux langues officielles;

- (1) que toute la signalisation extérieure et intérieure actuelle relevant de la Division des canaux, dans les secteurs où le public a accès et où il peut la voir, soit rendue bilingue d'ici au 1<sup>er</sup> décembre 1973;
- (2) que, afin de faciliter l'application de la recommandation 1, la Division veille à ce que tous les responsables régionaux reçoivent des directives concernant la transformation en écritureaux bilingues de ceux qui sont unilingues et la correction des écritureaux bilingues qui renferment, dans l'une ou l'autre langue officielle, des imprécisions ou des erreurs;
- (3) que l'on constitue et tienne à jour, à l'administration centrale et dans les bureaux de district, un registre de tous les écritureaux installés dans les zones des canaux et que l'on inscrive dans ce registre le texte de tous les écritureaux nouvellement traduits;
- (4) que les demandes de traduction de textes d'écritureaux soient accompagnées d'une brève explication du contexte dans lequel ceux-ci seront utilisés;
- (5) que la traduction officielle des textes d'écritureaux soit vérifiée à l'administration centrale de la Division avant d'être distribuée aux responsables de la réalisation des écritureaux;
- (6) qu'une personne compétente de la Division travaillant à l'endroit où les écritureaux sont réalisés soit chargée de la correction d'épreuves du texte des écritureaux afin de veiller à ce qu'ils soient exempts d'erreurs et d'omissions avant leur mise en place dans les zones des canaux;
- (7) que, une fois mené à bien le programme de signalisation bilingue, les bureaux de district effectuent sous le contrôle de l'administration centrale, un relevé méthodique afin de s'assurer :
  - (a) qu'il n'existe plus d'écritureaux unilingues;
  - (b) que les textes en soient précis et corrects dans les deux langues;
  - (c) que les deux langues officielles jouissent partout d'une importance égale;
  - (8) que tous les nouveaux écritureaux à mettre en place soient bilingues au départ;
- (9) que toutes les nouvelles désignations, qu'il s'agisse d'inscriptions sur les véhicules ou d'insignes sur les uniformes, soient bilingues et comportent une présentation unique;
- (10) que tous les documents écrits, y compris les formules, les cartes géographiques et les cartes de visite, publiés par la Division des canaux pour l'information et l'usage du public, paraissent dans les deux langues officielles d'ici le 1<sup>er</sup> juin 1973;
- (11) qu'à l'avenir, toutes les publications paraissent dans les deux versions officielles, si possible sous couverture unique plutôt qu'en deux versions distinctes française et anglaise;
- (12) que, chaque fois que des publications figurent à l'étalage, les éditions anglaise et française soient mises également en évidence;
- (13) que, dans les cas où il est fait usage d'éditions distinctes en anglais et en français, tous les points de distribution disposent toujours d'une réserve suffisante des deux versions;

bilingues qu'elle affecterait à des postes de relations avec le public, tout en recourant parallèlement aux cours de langue seconde. Il a néanmoins appris que la Division n'avait pas pour habitude de considérer les employés temporaires engagés pour aider les éclusiers comme des employés en contact avec le public; mais cette optique pourrait changer en raison de la nature saisonnière de l'exploitation des canaux qui permet une plus grande souplesse dans la répartition du personnel.

Toujours au moment de l'étude, la Division n'avait que fort peu utilisé les installations d'enseignement des langues de la Commission de la fonction publique. Le personnel d'exploitation pouvait en principe demander à suivre des cours de langue, mais aucun employé ne s'était porté candidat; du reste, la Division n'avait guère cherché à faire connaître ce programme en dehors du bureau central. Il est clair qu'elle n'y voyait pas un moyen d'accroître sa capacité bilingue dans les postes comportant des relations avec le public dans les régions; d'ailleurs elle n'avait rien prévu pour permettre aux employés ayant reçu une formation linguistique de conserver ou même d'améliorer leurs connaissances dans cette seconde langue. Il leur fallait se tirer d'affaire seuls.

Quant aux concessionnaires qui, en vertu de l'article 10 de la Loi sur les langues officielles, doivent fournir aux voyageurs des services dans les deux langues officielles, la Division n'avait pas encore rassemblé les informations nécessaires pour évaluer leurs obligations aux termes de la loi. Selon les enquêteurs, pourtant, tout programme de bilinguisme exigeait de la Division qu'elle oblige et aide au besoin les concessionnaires à servir les voyageurs dans les deux langues officielles. Malgré les initiatives louables prises par la Division en vue de fournir au public un certain nombre de services bilingues, les constatations de l'équipe montraient qu'elle ne se conformait pas entièrement à la Loi sur les langues officielles dans la prestation de certains services essentiels au public. Il semble que ces omissions soient dues à l'absence de lignes directrices précises régissant la mise en œuvre des principes adoptés par le gouvernement et le ministère, ainsi qu'au manque de directives relatives au bilinguisme et à la loi. De l'avis de l'équipe, il conviendrait, à l'administration centrale qui serait chargée d'élaborer, d'appliquer, de coordonner et de diriger un programme permettant à la Division de faire honneur aux obligations que lui impose la loi.

Compte tenu des lacunes et omissions mises en évidence et du désir exprimé par le ministère de bénéficier de conseils précis d'ordre administratif comme ceux qui ont fait suite à l'étude menée conjointement par nos deux organismes sur les parcs nationaux et les lieux historiques, le Commissaire a formulé les 31 recommandations suivantes :



media, le plus souvent d'expression anglaise, qui se mettaient en rapport avec les bureaux pour obtenir des renseignements qu'ils transmettaient ensuite au public. Les communiqués de presse d'intérêt national paraissaient dans les deux langues officielles, mais souvent les communiqués d'intérêt local n'étaient remis à la presse qu'en anglais, même là où existaient des journaux de langue française. Par contre, la Division participait à toutes sortes de salons nautiques en veillant à ce que ses stands soient parfaitement bilingues.

Le service principal qu'assure la Division est un service technique et opérationnel nécessaire aux bateaux qui passent une écluse ou un pont mobile. Les rapports entre éclusiers et marins peuvent se faire directement ou indirectement mais, en général, lorsqu'un éclusier donne ses instructions à un marinier pendant l'éclusage, il le fait oralement. Or, ce service n'était assuré qu'en anglais à trois des quatre réseaux, bien que ce genre d'information puisse être, si nécessaire, donné dans les deux langues au moyen d'un enregistrement sur bande magnétique.

Le magnétophone ne saurait toutefois convenir dans tous les cas où les propriétaires de bateaux ou le grand public demandent, voire exigent, des services dans l'une ou l'autre des deux langues officielles.

La Division estimait qu'il ne serait pas facile de faire face à toutes les situations étant donné l'insuffisance de personnel bilingue en dehors du Québec et la multitude des écluses (103) à exploiter. Au Québec, sur 42 employés, 34 étaient bilingues, mais la proportion à l'extérieur de cette province tombait à 21 bilingues pour 232 employés au total. Il n'était évidemment pas question de doter immédiatement chaque écluse d'un personnel bilingue, mais il fallait accorder la priorité aux écluses situées en des endroits stratégiques et notamment à celles qui avaient le plus grand nombre d'usagers. Naturellement, il convenait d'affecter sans délai des employés bilingues aux écluses fonctionnant dans des régions peuplées de francophones et d'anglophones. Le long du canal Rideau, 14 éclusiers bilingues travaillaient dans la région de la capitale nationale, mais une écluse au moins ne possédait pas de capacité bilingue. Les enquêteurs ont estimé que dans cette région, tout comme en d'autres régions similaires, il faudrait au moins deux bilingues pour combler les besoins linguistiques des équipes de relais.

Comme nous l'avons déjà dit plus haut, la Division n'avait pas encore, à l'époque où fut menée l'enquête, défini toutes les obligations que lui imposait la loi ni les moyens de s'en acquitter. Lors du recrutement de personnel, il était manifeste que les bureaux de district n'accordaient qu'une importance mineure à l'embauchage d'employés bilingues, ce qui semble imputable en partie à l'absence de directives précises à cet égard. Pour pallier l'insuffisance de services bilingues, le groupe d'étude a proposé que la Division procède au recrutement d'emploies temporaires

des services à fournir aux voyageurs, ni élaboré de programme pour les canaux situés en dehors de la région de la capitale nationale et du Québec, et où les services n'étaient offerts que de façon restreinte et sporadique.

Selon des responsables de la Division, aucune directive ne cherchait alors à garantir une importance et une présence égales du français et de l'anglais dans la signalisation extérieure et intérieure des lieux accessibles au public. L'administration centrale avait néanmoins entrepris d'examiner la signalisation des canaux afin de décider quels paramètres pouvaient être normalisés, supprimés ou symbolisés. En dehors du Québec, la plupart d'entre eux n'étaient rédigés qu'en anglais; seuls quelques-uns, situés dans la région de la capitale nationale, avaient été « bilingués », avec le concours de la Commission de la capitale nationale. Il va sans dire que la signalisation des canaux est indispensable pour assurer un contrôle efficace du trafic et de l'exploitation, ainsi que la sécurité du public.

C'est dans le domaine des publications qu'on a enregistré le plus de progrès. En effet, à l'exception d'une ou deux, elles paraissaient en français et en anglais, mais comme les deux versions étaient publiées séparément, leur répartition ou leur diffusion dans les deux langues n'était pas toujours égale. Un bulletin d'information notamment, distribué quotidiennement aux mariners pour leur communiquer les conditions météorologiques, n'était publié qu'en anglais, ce qui constituait une grave omission. Le seul formulaire mis à la disposition du public ontarien n'était imprimé qu'en anglais, de même que les cartes de visite, sauf bien sûr au Québec où elles étaient bilingues. La documentation et les imprimés d'autres ministères et organismes du gouvernement fédéral que diffusait la Division des canaux n'étaient pas, eux non plus, toujours présentés et offerts également dans les deux langues.

Les services d'information constituaient un domaine d'activité fort important; ils englobaient les services téléphoniques, la correspondance, les rapports avec les media, la participation à des colloques, entretiens, expositions spéciales, etc. La Division n'obéissait à aucune règle spéciale pour les conversations téléphoniques, mais apparemment, les téléphonistes répondaient soit en français soit en anglais, selon l'emplacement du bureau ou du canal. Au Québec cependant, les réceptionnistes étaient bilingues dans un certain nombre de bureaux. Le courrier était souvent envoyé à Ottawa pour y être traduit, ce qui occasionnait des retards d'environ dix jours dans son acheminement.

La Division ne possédait pas de services d'information en propre. La majeure partie de sa publicité était diffusée gratuitement par la radio et la télévision et, dans la plupart des cas, c'étaient les représentants des

A l'époque où fut menée l'étude, la Division des canaux avait autorité sur quatre réseaux formant chacun un district particulier admi- nistré d'après un régime de décentralisation poussée. Dès leur prise en charge, le ministère s'est efforcé de satisfaire aux exigences du bilin- guisme dans la région de la capitale nationale. Il avait déjà pris l'initia- tive d'approvisionner certaines écluses en publications bilingues et de leur fournir des services d'information touristique dans les deux langues officielles, mais n'avait pas encore défini les caractéristiques globales nécessaires.

du ministère, dont l'aide précieuse facilita l'obtention des informations l'étude comprenait un représentant de la Direction des langues officielles bureaux de district : Rideau, Trent et Québec. L'équipe chargée de tretenus avec des responsables de la direction à Ottawa et des trois l'article 10 de la Loi sur les langues officielles. Nos agents se sont en- L'étude a donc principalement tourné autour des prescriptions de 1972 du ministère des Transports à celui des Affaires indiennes. pris cette étude spéciale de la Division des canaux, transférée le 1<sup>er</sup> juin phones dans le pays tout entier, que le bureau du Commissaire a entre- ses services soient également accessibles aux francophones et aux anglo- C'est à la demande du ministère, lequel tient vivement à ce que

## *ÉTUDE SPÉCIALE — DIRECTION DES PARCS NATIONAUX ET DES LIEUX HISTORIQUES, DIVISION DES CANAUX*

qu'il avait remédié à cet état de choses. l'anglais comme langue de travail et d'avoir à prêter le serment d'allégeance dans cette langue. Le ministère a informé le Commissaire

Deux employés francophones se sont plaints d'avoir à utiliser titulaire.

exigences et, dans l'autre, en faisant suivre des cours de langue au guistiques de certains postes, dans l'un des cas en modifiant ces Le ministère a réglé deux plaintes concernant les exigences lin- le ministère a appliquées graduellement.

saire a jugé nécessaire de formuler des recommandations précises, que immédiatement réglé toutes ces plaintes. Dans certains cas, le Commis- unilingues anglais et la mauvaise qualité du français. Le ministère a et le reste touchait d'autres aspects des services comme les documents concernaient les services offerts au public par les Parcs nationaux a reçu 27 plaintes mettant en cause le ministère : onze d'entre elles Entre le mois d'avril 1970 et le 31 mars 1973, le Commissaire

à répandre l'emploi de ce moyen technique. en français. Le ministère utilise parfois, avec de bons résultats, des enregistrements bilingues et le Commissaire estime qu'il devrait songer



que et de maintien des connaissances à l'intention de son personnel.

A la fin de septembre 1973, le ministère ne semblait pas avoir fait grand-chose à ce sujet et n'envisageait pour l'avenir qu'un programme-pilote de formation linguistique. Il a fait remarquer que, par le passé, il veillait à la formation linguistique de son personnel à la demande de celui-ci. Le Commissaire espère qu'à l'avenir le ministère placera en tête de liste de ses objectifs la formation linguistique de ses employés en contact avec le public.

Le recrutement des employés occasionnels semble poser un problème car les capacités d'hébergement à proximité de certains parcs sont insuffisantes pour les loger; le ministère devrait faire d'efforts pour aménager des logements dans les parcs situés à une certaine distance des villes afin d'augmenter son effectif d'employés occasionnels bilingues.

Dans certains parcs nationaux au Québec, en Ontario et dans des provinces de l'Ouest, le nombre d'employés temporaires bilingues est encore trop restreint pour assurer au public des services satisfaisants en tout temps. Enfin, le ministère a hésité à chercher du personnel bilingue en dehors des régions auxquelles appartiennent les parcs alors qu'à certains endroits ce personnel fait terriblement défaut. Le Commissaire n'ignore pas qu'il faut tenir compte des facteurs économiques, des habitudes et du fait que les gens hésitent à s'éloigner de leur région, mais il estime que le ministère devrait chercher d'autres solutions.

En décembre 1973, le ministère a mis à la disposition des concessionnaires ses services de traduction et de correction d'épreuves pour les aider à rendre bilingues les panneaux relatifs à la sécurité du public.

Il n'a toutefois pas pu garantir au Commissaire que les concessionnaires utiliseraient réellement ces services ni lui indiquer quand cette signalisation deviendrait bilingue. Le Commissaire avait fixé le 1<sup>er</sup> juin 1973 comme échéance et il déplore que tous les panneaux relatifs à la sécurité du public ne soient pas encore bilingues. Comme la sécurité du public est en jeu, le Commissaire estime que le ministère devrait prendre des mesures plus positives pour que cette recommandation soit appliquée entièrement au plus vite.

Le ministère ne s'est pas assuré que les panneaux et les publications des organismes du gouvernement fédéral installés dans les parcs soient rendus bilingues à la date précitée. Le Commissaire encourage le ministère à examiner cette question de plus près.

A quelques exceptions près, les services ne sont pas encore offerts automatiquement au public dans les deux langues officielles. Le Commissaire exhorte vivement le ministère à prendre des mesures plus concrètes et à informer le public qu'il peut être servi en anglais ou

Le ministère n'a pas été en mesure de respecter l'échéance du 1<sup>er</sup> juin 1972 qui lui avait été recommandée pour rendre toute la signalisation bilingue. Il considère juin 1975 comme échéance plus pratique. Le Commissaire ne croit pas qu'il s'agisse, pour la modification de la signalisation des canaux, d'une échéance raisonnable. En outre, même s'il est fastidieux de dénombrer tous les panneaux des parcs nationaux et des lieux historiques, il demande au ministère de faire tout son possible pour appliquer la recommandation dans des délais plus brefs. Le ministère n'a pas encore achevé l'inventaire de tous les textes d'interprétation, plaques et inscriptions de la région de l'Ouest, opération indispensable pour pouvoir les rendre bilingues, et ne pense pas le terminer avant juin 1974. Vu la nature de cette recommandation, le Commissaire estime que le ministère aurait pu s'occuper plus rapidement de dresser cet inventaire. Enfin, le ministère prévoit que toute la signalisation des sentiers d'observation de la nature sera bilingue d'ici le 1<sup>er</sup> juin 1974 dans la région de l'Ouest.

Le Commissaire est d'avis que le ministère pourrait améliorer ses services dans les deux langues officielles, notamment en Nouvelle-Ecosse, en Ontario, au Manitoba et en Saskatchewan. L'absence de bilinguisme aux kiosques de renseignements où le personnel est pour-tant constamment en contact avec le public le préoccupe beaucoup. L'usage d'enregistrements et de publications bilingues peut indiquer au public que les services sont accessibles dans les deux langues, mais cela ne répond pas suffisamment à la recommandation du Commissaire qui exigeait que l'on porte à l'attention des visiteurs l'existence des services offerts dans les deux langues. Les inscriptions dans les annuaires ne sont généralement pas bilingues et bien que cette responsabilité incombe au ministère des Communications, le Commissaire estime que le ministère pourrait lui-même régler cette question rapidement et sans grande difficulté.

Les services d'interprétation dans les deux langues officielles sont encore en nombre insuffisant dans les Maritimes, le Québec et l'Ontario malgré l'échéance du 1<sup>er</sup> juin 1972 fixée par le Commissaire. Dans ces mêmes provinces on omet manifestement de signaler au public la présence de guides bilingues et, pendant la morte saison, on répugne à engager des guides bilingues pour les fins de semaine. Une autre préoccupation du Commissaire réside dans le fait que le ministère n'ait pas suffisamment augmenté son effectif de naturalistes et de guides bilingues dans tous les parcs des provinces de l'Ouest; l'organisme invoque, comme raison, des difficultés dans le recrutement. Le ministère comptait terminer les enregistrements français et anglais utilisés pour les services d'interprétation en décembre 1973; le Commissaire espère que cette échéance a été respectée. Le Commissaire a recom-

mandé au ministère d'organiser des programmes de formation linguisti-

*Si la Direction n'a pas réussi à rendre bilingues pour les dates fixées tous les objets visuels (écriteaux et plaques commémoratives), il faut reconnaître qu'elle a fait beaucoup mieux en ce qui concerne l'article 10 de la Loi sur les langues officielles. Cet article oblige les organismes fédéraux qui assurent des services aux voyageurs à supposer qu'il y a une demande pour des services bilingues. Sans attendre que le Commissaire ou l'un des organismes centraux du gouvernement lui donne des directives en ce sens, la Direction a présumé, parce qu'elle sert principalement les voyageurs, l'existence d'une demande générale et régulière de services bilingues dans l'ensemble du pays. Cependant, cela ne signifie pas qu'elle ait pour autant, rempli toutes ses obligations aux termes de la loi. Le Commissaire tient toujours à la féliciter car elle s'est attelée à la tâche avec beaucoup de persévérance alors que d'autres organismes fédéraux qui ont des devoirs semblables envers les voyageurs essayent encore de nier l'existence de cette demande et se montrent peu disposés à appliquer avec imagination et équité l'article 10 de la loi. Il incombe au Commissaire de faire des vérifications et l'exercice de contrôles a été facilité par la collaboration du ministère et la bonne volonté avec laquelle celui-ci a accueilli ses suggestions et remarques.*

Quant aux recommandations résultant des études spéciales, le Commissaire s'inquiète un peu de la lenteur avec laquelle le ministère les applique notamment en ce qui concerne 1) le programme visant à rendre bilingues toutes les plaques commémoratives; 2) le programme concernant la signalisation bilingue; 3) les services bilingues à l'attention des visiteurs et la publicité faisant connaître ces services; 4) les services d'interprétation en anglais et en français à l'attention du public; 5) la sélection de personnel pour la formation linguistique, la mise au point de programmes de formation et de maintien de l'acquis, le recrutement de bilingues et l'augmentation des capacités d'hébergement des installations mises à la disposition des employés occasionnels; 6) l'aide à fournir aux concessionnaires pour installer des panneaux bilingues relatifs à la sécurité du public et les responsabilités du ministère au regard de l'observation de la Loi sur les langues officielles par les autres organismes du gouvernement fédéral et, 7), l'offre automatique des services au public dans les deux langues officielles.

Le ministère a déclaré que l'application des recommandations formulées à la suite des études spéciales avait atteint des stades divers. Au sujet des plaques commémoratives, il a indiqué qu'il ne pourrait réaliser son programme pour l'échéance fixée, à savoir juin 1975. Compte tenu de la marche à suivre, il s'attend à pouvoir rendre bilingues toutes les plaques commémoratives pour la fin de 1977. Le Commissaire trouve cette date bien éloignée de l'échéance qu'il avait proposée.



se plaignent de n'avoir pu enregistrer la déclaration du ministre en même temps que leurs collègues anglophones, M. Mitchell Sharp n'étant disponible que plus tard dans la journée pour faire une déclaration en français.

Le ministre a informé le Commissaire que le lendemain de ses entretiens avec M. Rogers, M. Sharp avait accepté de rencontrer les journalistes à 10 h. Il a alors fait une brève déclaration en anglais et répondu à un certain nombre de questions. Aucun texte de cet exposé n'a été distribué. M. Sharp a également accédé à la demande des journalistes francophones de faire, à l'intention de la radio et de la télévision françaises, une déclaration semblable, en français cette fois. Mais il n'a pu le faire que plus tard dans la journée. C'est alors que les journalistes de la radio, mécontents de ne pas être en mesure d'enregistrer la communication du ministre en même temps que leurs confrères anglophones, décidaient, en signe de protestation de ne pas assister à cette deuxième conférence de presse. Toutefois, le représentant de la télévision française de Radio-Canada y assistait et a enregistré la déclaration du ministre en français.

Le ministre a assuré le Commissaire que M. Sharp était très soucieux de respecter le statut d'égalité des deux langues officielles. En conséquence, les déclarations écrites et les communications émis en son nom l'étaient toujours simultanément dans les deux langues. M. Sharp s'efforçait également de présenter ses déclarations orales en français et en anglais. Il a regretté cet incident. C'est pourquoi le Service de presse du ministre et M. Sharp lui-même ont tenu par la suite à discuter de cette question avec les journalistes concernés. Le Commissaire s'est dit convaincu que cet incident ne reflétait pas la politique du ministre à l'égard des services offerts au public et qu'à l'avenir les services aux media d'information seraient accordés d'une manière égale dans les deux langues officielles.

AFFAIRES INDIENNES ET DU NORD — « Qu'elle était verte ma vallée »

## APPRECIATION

Le ministre a appliqué tantôt immédiatement, tantôt graduellement les recommandations que le Commissaire lui a présentées à la suite, d'une part, de deux études spéciales (effectuées à la demande du sous-ministre) de la Direction des parcs nationaux et des lieux historiques et, d'autre part, de l'instruction de plaintes. Les mesures prises ont engendré des résultats concrets et positifs.

Le Commissaire s'est déclaré satisfait de cette explication et les bulletins sont publiés comme avant.

*Dossier n° 1320—Le bilinguisme... à Moscou*

Un francophone déplore le fait que, durant les matchs de hockey entre le Canada et l'U.R.S.S., qui ont eu lieu à Moscou à l'automne de 1972, les annonces aient été faites dans le stade en russe et en anglais seulement. Il demande au Commissaire d'intervenir auprès des autorités fédérales concernées afin qu'elles prennent les dispositions nécessaires pour s'assurer qu'à l'avenir le Canada projette à l'étranger l'image d'un pays bilingue.

Le ministère a reconnu qu'au cours de ces matchs de hockey, les annonces et les commentaires diffusés dans l'enceinte du stade de Moscou l'avaient été en russe et occasionnellement en anglais. Toutefois, le ministère a souligné que cette question relevait exclusivement des autorités soviétiques responsables du stade. Les représentants soviétiques considéraient la diffusion de tout commentaire dans une langue étrangère comme une faveur. Lorsque, après le premier match, des Canadiens ont fait remarquer à leurs hôtes que les membres francophones de leur délégation seraient heureux si les communications essentielles étaient également données en français, un haut fonctionnaire russe a répondu que, par comparaison avec ce qui avait été fait auparavant au Canada (où les communications avaient été diffusées par haut-parleurs en anglais et en français, mais pas en russe), les Soviétiques faisaient déjà un très gros effort.

Le Commissaire a exprimé l'avis qu'à l'avenir le Canada devrait, au cours de telles rencontres sportives, faire en sorte que les annonces soient diffusées au Canada non seulement en français et en anglais mais aussi dans la ou les langues de l'équipe qu'il accueille, s'il veut que le pays visiteur ait par la suite la même délicatesse à son endroit. Ceci permettrait sans doute au Canada de projeter, en de telles occasions, l'image d'un pays bilingue et de fournir aux Canadiens tous les services dans les deux langues officielles conformément à l'esprit de la Loi sur les langues officielles. Le Commissaire a de plus suggéré qu'on se rappelle ce principe lors de l'organisation de matchs entre des équipes étrangères, que ce soit au hockey ou dans d'autres sports.

*Dossiers nos 1553, 1561—Le ministre sur la selle*

Le Secrétaire d'État aux Affaires extérieures donne aux journalistes de la radio et de la télévision un compte rendu en anglais de ses entretiens du 20 novembre 1972 sur le Viêt-Nam avec le Secrétaire d'État américain, M. William Rogers. Des journalistes de langue française

extraits publiés sans traduction, en anglais et en français, étant sensiblement le même, l'égalité de statut des deux langues officielles était respectée.

3) Dans la mesure où ils étaient mis à la disposition des voyageurs de la même manière que les journaux canadiens, ces textes ressortissaient aux dispositions de l'article 10 de la loi. Les journaux ne faisant pas l'objet d'une traduction, les extraits qui en sont tirés ne sont pas censés être traduits.

4) Là où des faits importants étaient signalés de façon nettement différente dans la presse de langue française et de langue anglaise, les bulletins du ministère en comporteraient les deux versions.

Les correspondants, insatisfaits de la réponse du Commissaire, ont soutenu qu'elle ne s'inspirait ni de l'esprit de la loi, ni de l'intention du législateur.

Le Commissaire a précisé que si l'envoi d'extraits non traduits dérogeait à l'intention du législateur, il en allait de même pour la diffusion de journaux non traduits. Or, il n'était pas d'avis que ce fût là la volonté du Parlement, telle qu'elle ressort des dispositions et de l'esprit de la loi.

Le Commissaire a admis que si le ministère devait publier chaque jour un compte rendu analytique de la presse, le cas serait différent. Or, après enquête, il a constaté que le ministère ne publiait que des extraits tirés, dans une proportion équilibrée, des organes d'information de langues anglaise et française. La situation lui paraissait donc conforme à la loi.

L'ambassadeur a informé le Commissaire que les plaintes en question provenaient de personnes agissant en leur nom propre et ne devaient être en aucun cas considérées comme représentant l'opinion de l'ensemble du personnel ou de l'ambassade.

Ultérieurement, un correspondant en poste dans une autre mission a affirmé que les bulletins comportaient plus d'articles en français qu'en anglais et a joint à sa lettre photocopie d'un bulletin dont les deux tiers du contenu apparaissaient en français. Le Commissaire a demandé des explications au ministère.

Le ministère a répondu que, tout en cherchant à équilibrer le nombre des articles publiés en anglais et en français, c'était toutefois l'intérêt des articles qui en déterminait la sélection indépendamment de leur longueur.

En janvier 1973, les articles reproduits dans les bulletins représentaient environ 11 000 mots français contre 9 000 mots anglais. Le ministère estimait la proportion équilibrée puisqu'en règle générale on utilise un plus grand nombre de mots pour rendre une idée en français.



Un francophone fait grief au ministre de lui avoir envoyé en anglais seulement une invitation à une réception donnée à Edmonton. Le ministre a informé le Commissaire que ses directives à cet égard dataient du 17 novembre 1971 et stipulaient que « les cartons d'invitation doivent respecter un juste équilibre linguistique ». La pratique établie au ministère était de faire parvenir toute invitation dans la langue du destinataire. Dans le cas qui fait l'objet de la plainte, ces directives n'avaient pas été suivies.

*Dossier n° 903—Consulat général à Boston*

Un Canadien domicilié aux États-Unis déclare que le jour où il est allé au consulat général à Boston, il n'a trouvé aucun journal en langue anglaise parmi les sept ou huit quotidiens placés dans la salle de lecture. Le plaignant a également rapporté ce fait à un sénateur canadien, qui s'est, lui aussi, adressé au Commissaire. Les deux plaintes sont rédigées en termes pratiquement identiques.

Le ministère a répondu que les journaux de langue anglaise étaient tous entre les mains des employés du consulat, qui avaient omis de les rapporter à la salle de lecture, et que des mesures avaient été prises pour éviter la répétition d'un tel incident. Il a, en outre, fait parvenir au Commissaire un extrait de sa circulaire : « Service au public voyageur ».

Le Commissaire a transmis au sénateur et au plaignant l'explication fournie par le ministère.

*Dossiers n°s 1333, 922—Bulletins d'information*

Le Commissaire reçoit d'un groupe d'employés des ministères des Affaires extérieures et de la Main-d'œuvre et de l'Immigration, en poste dans une ambassade canadienne, une plainte portant sur les bulletins d'information Radio-Canada/PC envoyés chaque jour d'Ottawa à l'ambassade. Il s'agit d'extraits de la presse canadienne de langue anglaise et de langue française qui ne font pas l'objet d'une traduction. Or, les plaignants ne sont pas tous bilingues.

Le Commissaire, après enquête, a conclu comme suit :

1) La présentation des bulletins ne contrevenait pas aux dispositions de la Loi sur les langues officielles.

2) Comme ils étaient destinés au personnel de l'ambassade et non au grand public, seul s'appliquait l'article 2 de la loi; le nombre des



presse et les petites annonces. En outre, faible mais réconfortante consolation, les recommandations formulées à propos des dictionnaires et des claviers des machines à dactylographier sont maintenant appliquées. Le Commissaire tient aussi à souligner que le ministère a pris des mesures intéressantes et positives au niveau des communications entre les missions et le siège et à celui des cours de langue ou de formation générale destinés au personnel. Il faut toutefois relever que le contenu de bon nombre de ces recommandations devait être inclus dans un nouveau Manuel de pratiques administratives que le ministère se proposait de publier : il y aura donc lieu pour ce dernier de veiller à en contrôler adéquatement l'application. À ce propos, le Commissaire espère que l'initiative prise par le ministère de demander au personnel de la direction de l'inspection de rendre compte de ses consultations touchant le bilinguisme lors de ses tournées, et au conseiller en bilinguisme d'aller sur place étudier ce qui se fait, saura améliorer une situation qui, étant donné l'éloignement géographique, appelle un contrôle régulier.

En revanche, le ministère n'a pas réagi de façon aussi positive à l'égard de 19 recommandations. Pour certaines, couvrant des domaines importants comme les imprimés, le contenu des bibliothèques, les films, les communications de presse et les notes de service, le ministère a invoqué soit la notion de demande soit l'absence de personnel bilingue dans les missions pour justifier son inaction. Pour d'autres, le Commissaire a constaté que l'institution avait, dans son dernier compte rendu, modifié son attitude par rapport aux solutions adoptées d'un commun accord par ses représentants et ceux du Commissaire au moment des consultations qui avaient suivi l'étude. Il en est ainsi de quelques recommandations traitant de la disponibilité des services dans les deux langues, des formules, de la fiche d'inscription des citoyens canadiens vivant à l'étranger, des offres d'emploi faites à l'étranger et des panneaux et affiches.

Enfin, sept recommandations exigeaient une action concertée avec le Secrétariat du Conseil du trésor ou la Commission de la fonction publique. Il s'agit de celles qui portent sur la composition linguistique du personnel des missions (statistiques, aptitude des chefs de mission et des secrétaires de ces derniers à travailler dans les deux langues officielles, affectation des agents et des sténodactylos), les plans de recrutement et les tests linguistiques que doivent subir les candidats au poste d'agent du service extérieur.

Le Commissaire, conscient de la difficulté que peut éprouver une institution à appliquer quelque 50 recommandations, souvent complexes, mais en même temps inquiet de la lenteur manifestée, dans certains domaines, par le ministère, compte poursuivre vigou-





*Cordialité, esprit de collaboration et savoureuse délicatesse caractérisent encore les rapports que ce ministère entretient avec le Comis-*

## APPRECIATION

### AFFAIRES EXTÉRIEURES — « Le dernier tango à Paris »

Le plaignant affirme avoir cherché en vain un seul mot de français sur une carte de visite provenant du bureau de district d'Ottawa. Le ministère a fait savoir au Commissaire qu'il avait pour règle d'utiliser systématiquement les deux langues et que ce bureau avait déjà commandé des cartes bilingues. Le ministère a fait parvenir un exemplaire de la nouvelle carte au Commissaire. Celui-ci a transmis l'explication fournie au plaignant.

### Dossier n° 1648—Cartes de visite

Un francophone se plaint de ce que les inscriptions qui figurent sur un certain nombre de plaques apposées à l'extérieur du Foyer Rideau pour anciens combattants (363, rue Smyth à Ottawa) sont rédigées uniquement en anglais. Le ministère a accepté de remplacer les plaques et écritureaux unilingues anglais apparaissant à l'intérieur et à l'extérieur de l'édifice par d'autres bilingues.

### Dossier n° 1574—Signalisation

Nonobstant ces déclarations, le Commissaire a recommandé que cette nouvelle formule soit utilisée à partir du 31 décembre 1972 au plus tard. Le ministre a par la suite informé le Commissaire que la nouvelle formule bilingue avait été approuvée par l'Association québécoise des pharmaciens propriétaires et avait été distribuée aux pharmaciens au mois de mai 1973.

Le ministre a indiqué que les responsables du régime des services de traitement chargés à Montréal des négociations avec l'Association québécoise des pharmaciens propriétaires lui avaient déclaré qu'en vertu d'un accord verbal on utiliserait la formule anglaise jusqu'à ce que les stocks soient épuisés. Le ministère a ajouté qu'une telle formule, bilingue ou française, devait être adoptée lors des prochaines négociations. Il a été précisé que les responsables étaient en train de mettre au point une formule bilingue qu'ils soumettraient à l'Association et qui serait distribuée aux intéressés une fois l'entente signée.

prélude, en italique, aux attendus et à l'exposé des motifs, pièces de résistance des spécialistes et autres masochistes.

AFFAIRES DES ANCIENS COMBATTANTS — « Les sentiers de la gloire »

## APPRECIATION

Au cours des trois dernières années financières, le ministère des Affaires des anciens combattants a fait l'objet de huit plaintes. A toutes les infractions signalées, le ministère a réagi positivement en prenant les mesures qui s'imposaient pour corriger ces situations. Le Commissaire se félicite de la collaboration reçue au cours de l'instruction des plaintes. Le ministère a affirmé en novembre 1973 que tous ses services étaient offerts dans les deux langues officielles et qu'ils étaient, de façon générale, « adéquats ».

Par ailleurs, il ressort des réponses au questionnaire que le Commissaire lui a fait parvenir que le programme de bilinguisme du ministère des Affaires des anciens combattants est en vigueur depuis plus de quatre ans. Le sous-ministre préside un comité de direction sur le bilinguisme alors que le conseiller en bilinguisme coordonne l'exécution et supervise les évaluations qui sont faites périodiquement. La traduction de presque toutes les formules et publications, ainsi que celle des autres imprimés a, semble-t-il, déjà été faite. Le ministère ajoute que les panneaux et les affiches sont bilingues « là où il convient qu'ils le soient ». D'ici décembre 1978, les titulaires de postes bilingues auront pu bénéficier d'une formation linguistique.

Le ministère affirme que le français et l'anglais ont un statut égal au sein de son administration. Plusieurs unités de langue française ont été constituées et les employés auraient la possibilité d'utiliser l'une ou l'autre des langues officielles pour les communications internes. La plupart des documents internes seraient bilingues et, au dire du ministère, les cours de perfectionnement seraient offerts « dans l'une ou l'autre langue selon le besoin ». Il existe toujours un problème au niveau de la surveillance toutefois, car à Montréal et dans la région de la capitale nationale, les supérieurs sont surtout de langue anglaise.

## PLAINTES

Dossier n° 1244—Formule unilingue

Un francophone signale au Commissaire qu'une formule mise à la disposition d'un pharmacien du Québec par le ministère n'existe qu'en anglais.



de faire fond sur la raison de l'honnête homme, sur le sens commun et sur le plus simple et le plus ancien des principes de gestion, celui d'un Aristote à coup sûr pour le moins bilingue : primo, avoir un idéal pratique, clair et précis, c'est-à-dire se fixer un but, un objectif; secundo, se doter des moyens nécessaires pour atteindre ses fins : la sagesse, l'argent, le matériel et les méthodes; tertio, adapter ces moyens aux fins visées. En bref, pour suivre le principe de Peter : qui ne sait où il va, finit ailleurs.

Notre information, nous l'avons obtenue en contrôlant, par téléphone, par lettres, par entretiens, par visites sur place avec des représentants de l'organisme intéressé, ou encore au moyen de questionnaires, la suite donnée à l'instruction des plaintes reçues et aux études spéciales réalisées. Ces méthodes ne s'appliquaient pas globalement dans tous les cas. Tantôt, l'information fournie par les institutions fédérales se prêtait à vérification; tantôt, le Commissaire acceptait sur parole leurs assertions, qu'elles fussent orales ou écrites, sur lettres ou questionnaires. (Bien sûr, l'envoi d'un questionnaire par le Commissaire à plusieurs institutions ne remplace en rien l'étude spéciale qu'il pourrait leur proposer par la suite, pas plus qu'il ne supprime les habituels contrôles ultérieurs.) Dans l'ensemble, donc, ce chapitre précise la nature des faits qui étayent notre expertise, de façon que le lecteur soit chaque fois à même d'apprécier la dose de scepticisme de bon aloi dont, par « profession », le Commissaire doit s'armer.

Afin de ne pas tirer des conclusions hâtives et pour broser le tableau le plus complet et le plus juste des institutions fédérales, le Commissaire a, en 1973, écrit par deux fois à la plupart d'entre elles; par la suite, ses collaborateurs et lui-même ont à de multiples reprises décroché le téléphone pour obtenir les renseignements souhaités. Las, parfois en pure perte, le rapport en témoigne.

Pour la commodité du lecteur, les institutions fédérales sont classées par ordre alphabétique. Lorsque l'abondance de la matière l'a permis, les bilans dressés par les deux services « opérationnels » du Commissaire, Plaintes et Etudes spéciales, ont été « consolidés ». Dans le cas de certaines études récentes, vierges encore de tout suivi, le Commissaire se borne à énumérer observations et recommandations, en reportant les évaluations à l'an prochain, et d'année en année, jusqu'à ce que « justice s'ensuive ».

L'amalgame des vues exprimées par les deux services a pour objet de regrouper sous une même rubrique l'information relative à une institution donnée. Le lecteur, qu'il appartienne au Parlement, à l'administration, au grand public ou à la presse, pourra ainsi facilement repérer le ministère ou l'organisme qui l'intéresse.

Enfin, si la richesse des faits connus le justifie, une appréciation condensée de la « prestation » générale fournie par l'institution étudiée

Pour fonder leur jugement, le Commissaire et ses adjoints ont défini avec rigueur différents degrés dans l'observation de la loi, compte tenu de la nature des recommandations et de leur délai d'application. L'instrument ainsi mis au point ne prétend aucunement représenter le *nec plus ultra* dans l'art de l'expert-vérificateur. Ils se sont contentés

Mais, va — et devrait — se demander le lecteur, à quelle aune mesurer la performance des institutions ? Pour le Commissaire, les pères de la Loi sur les langues officielles ont clairement défini les grands objectifs à atteindre. Une fidélité inébranlable à la lettre et à l'esprit de la loi comme à l'intention de son législateur, marée, on l'espère, à un certain bon sens et à un sens certain des réalités humaines, voilà les vertus que le Commissaire s'efforce de réfléchir dans son évaluation et dans ses recommandations par la même mieux structurées et mieux jalonnées. Il ne fait d'ailleurs ainsi, conformément à son mandat, que chercher à répercuter, avec constance et en toute indépendance, l'intention exprimée par le Parlement lors de l'adoption de la loi.

En principe, le présent rapport annuel ne porte que sur l'année financière 1972-1973. Néanmoins, pour lui donner toute l'utilité et l'actualité possibles, le Commissaire et ses collaborateurs se sont efforcés d'y incorporer les résultats les plus récents de leur suivi, en élevant même le calendrier jusqu'au début de 1974. Ils estiment en effet que cette tentative de garder prise sur l'événement contribuera peut-être, en dernière analyse, à refléter une image plus juste des ministères et des organismes mis sur la sellette.

Les commentaires de ces morceaux choisis s'inspirent de critères définis avec soin et valent sans restriction pour toutes les administrations fédérales, indépendamment de leur taille ou de leur fonction, mais compte tenu de l'époque où elles sont apparues sur le scène du bilinguisme. En effet, si certaines d'entre elles ont appliqué la loi dès 1969, d'autres ne s'y sont mises qu'en 1971 (suite à la circulaire 1971-21 du Conseil du trésor : Objectifs de direction concernant le bilinguisme). D'autres encore pourraient se voir décerner la médaille des pionniers, comme le Canadien National et la Société centrale d'hypothèques et de logement, cités avec mention honorable dans les rapports de la Commission B. B. Que dire enfin de celles qui se flattent d'avoir commencé à utiliser le français et l'anglais dans leur travail bien avant l'entrée en vigueur de la loi, avant même la déclaration d'avril 1966 dans laquelle le premier ministre Pearson assurait aux fonctionnaires de longue date qu'aucun d'entre eux n'aurait à souffrir de la réforme ?

Véritable de la réforme. D'où, quatre ans et demi après l'adoption de la loi, ce florilège des prouesses ministérielles que le Commissaire et ses collaborateurs ont composé avec toute la sobriété et l'exactitude, sinon l'infailibilité, dont il sont capables.

# PETIT FLORILÈGE AMICAL

(Palmarès 1974 du Festival cinématographique du bilinguisme : prix orange et citron décernés à des ministères et organismes canadiens pure laine pour leurs bonnes œuvres bilingues)

Dans ses précédents rapports au Parlement, le Commissaire rendait compte des conclusions et des recommandations auxquelles l'avait mené telle plainte ou telle étude spéciale relative à des institutions fédérales. Après avoir entamé son office sous le signe des recommandations — entre le 1<sup>er</sup> avril 1970, date de sa nomination, et septembre 1973, il en a formulé plus de mille —, il aborde à présent une étape décisive dans sa mission d'ombudsman : la communication des résultats. Gardien d'une loi au nom du Parlement, l'ombudsman, en effet, ne tient nullement à poser futillement pour la galerie; ce qu'il veut, c'est voir ses investigations et ses avis aboutir à des réformes. Il suffit parfois au Commissaire de notifier son intention d'enquêter pour que des ministères entreprennent de remédier à certaines insuffisances. Mais le meilleur moyen d'« expertiser » la réforme, de contrôler son application et ses progrès, n'en reste pas moins l'activité de « suivi » consécutive aux interventions du Commissaire.

A cette fin, son bureau s'est attaché à vérifier systématiquement le sort réservé aux recommandations. Le suivi est, comme le note le précédent rapport, la pierre de touche qui permet de déterminer si la réforme prend racine ou non. En maintes occasions, il a porté fruit, suscitant sur-le-champ des mesures correctives; mais trop souvent encore, l'inertie régnaute n'en a absolument pas été perturbée. Quelquefois, les raisons invoquées pour expliquer les cas d'inaction semblent rien moins que convaincantes et font penser à un sourd attribuant son infirmité à une poussière dans l'œil. Quoi qu'il en soit, les parlementaires comme le public ont le droit d'être renseignés sur le rythme





Associations et syndicats de fonctionnaires	4
Autres langues	2
Compagnies de téléphone	11
Education	15
Entreprises privées	31
Gouvernements municipaux	1
Membres du Parlement	6
Politique du bilinguisme	18*
Provinces	21
	109

\*Ce nombre ne représente qu'une partie des demandes de renseignements et commentaires reçus au bureau du Commissaire à ce sujet. La section intitulée « La boîte aux lettres » au chapitre II donne un aperçu de ces demandes de renseignements et commentaires.

\*Plus d'une centaine de ces plaintes se rapportent au même sujet: la désignation de postes bilingues à Winnipeg et Edmonton.

Test de langue	4	1
Cours de langue	13	1
Concours, nominations, fonctions, désignation des exigences linguistiques	124*	17
Conditions de travail	11	19
	152	38
Francophones		
Anglophones		

TABLEAU 13. Nature des plaintes reçues des employés fédéraux et mettant en cause des institutions fédérales déterminées.

	Francophones	Anglophones	190 (100 %)
	38 (20 %)	152 (80 %)	
	28	115	
	10	37	
Total			
Institues			
Non institues			

TABLEAU 12. Plaintes des employés fédéraux (en tant qu'employés fédéraux), y compris ceux à l'emploi des sociétés de la Couronne et les militaires, et mettant en cause des institutions fédérales déterminées.

	(2) Service canadien des pénitenciers	(3) Commission nationale des libérations conditionnelles	Statistique Canada	Transports	Travail	Travaux publics
1970-1971	0	0	1	5	0	1
1971-1972	9	2	71	24	0	7
1972-1973	7	4	13	39	3	15
Total	16	6	85	68	3	23
						1 550



Commission de la capitale nationale	1	3	8	12
Commission de la fonction publique	5	25	36	66
Commission de révision de l'impôt	0	1	0	1
Commission fédérale de délimitation des circonscriptions électorales pour l'Ontario	0	0	1	1
Communications	1	3	13	17
Compagnie des jeunes Canadiens	0	1	0	1
Conseil de la radio-télévision canadienne	0	2	2	4
Conseil des ports nationaux	0	0	1	1
Conseil des sciences du Canada	0	0	4	4
Conseil du trésor	1	2	6	9
Conseil économique du Canada	0	0	1	1
Conseil national de recherches	2	4	5	11
Conseil privé	0	1	0	1
Consommation et Corporations	0	4	6	10
Constitution (Comité mixte sur la)	0	2	0	2
Cour fédérale du Canada	0	0	2	2
Défense nationale	11	11	46	68
Directeur général des élections	0	0	17	17
Energie atomique du Canada, Limitée	0	0	2	2
Energie, Mines et Ressources	2	4	4	10
Environnement	0	10	15	25
Expansion économique régionale	1	4	5	10
Finances	0	0	2	2
Industrie et Commerce	2	5	4	11
Information Canada	2	6	6	14
Justice	1	2	0	3
Main-d'œuvre et Immigration	4	20	136	160
Monnaie royale canadienne	0	2	3	5
Musées nationaux du Canada	2	3	12	17
Office national du film	0	1	2	3
Parlement	1	10	13	24
Polysar (Polysar)	0	0	2	2
Postes	6	40	60	106
Radio-Canada	4	139	34	177
Revenu national (Douanes et Accise)	6	13	21	40
Revenu national (Impôt)	1	21	22	44
Santé nationale et Bien-être social	2	12	17	31
Sciences et technologie	0	0	1	1
Secrétariat d'Etat	2	19	20	41
Société centrale d'hypothèques et de logement	0	0	7	7
Société des transports du Nord, Limitée	0	0	1	1
Société du crédit agricole	0	0	2	2
Solliciteur général	2	18	31	51
(1) Gendarmerie royale du Canada	2	7	20	29

*Plaintes mettant en cause des institutions fédérales déterminées  
(1972-1973)*

TABLEAU 9. Langue des plaignants

Français	607 (73 %)
Anglais	227 (27 %)
	834 (100 %)

TABLEAU 10. Nature des plaintes instruites

Langue de travail	135	(20 %)
Langue de service	539	(80 %)
	674*	(100 %)

\*Par conséquent, 81 % des plaintes mettant en cause des institutions fédérales déterminées ont été instruites conformément à l'article 27 de la loi.

TABLEAU 11. Institutions fédérales mises en cause par les plaintes

	1970-1971	1971-1972	1972-1973	Total
Affaires des anciens combattants	2	2	4	8
Affaires extérieures	1	15	6	22
Affaires indiennes et du Nord	3	10	14	27
Affaires urbaines	0	0	1	1
Agence canadienne de développement international	1	1	3	5
Agriculture	1	3	11	15
Air Canada	13	30	66	109
Approvisionnement et Services	3	3	14	20
Archives publiques	0	2	1	3
Assurances (Département des)	0	1	2	3
Auditeur général	0	1	0	1
Banque du Canada	1	1	1	3
Bibliothèque nationale	1	2	1	4
Bureaux des ministres	1	0	0	1
Centre national des arts	2	0	2	4
Chemins de fer nationaux	8	33	46	87
Commissaire aux langues officielles	0	2	2	4
Commission canadienne des pensions	0	1	0	1
Commission canadienne des transports	0	0	3	3
Commission canadienne du blé	0	1	1	2
Commission d'assurance-chômage	2	13	14	29
Commission d'énergie du Nord canadien	0	0	2	2

TABLEAU 7. Origine géographique des plaintes (cumulatives)

	1970-1971	1971-1972	1972-1973	Total	% du total
Terre-Neuve	0	2	1	3	0,2 %
Ile-du-Prince-Edouard	2	13	3	18	1,0 %
Nouvelle-Ecosse	0	12	21	33	1,8 %
Nouveau-Brunswick	10	43	41	94	5,0 %
Québec	54	167	242	463	24,7 %
Ontario	73	222	418	713	38,0 %
Manitoba	12	71	144	227	12,1 %
Saskatchewan	22	53	21	96	5,1 %
Alberta	1	131	32	164	8,8 %
Colombie-Britannique	6	20	15	41	2,2 %
Yukon et Territoires du Nord-Ouest	0	0	3	3	0,2 %
Etats-Unis	0	5	1	6	0,2 %
Pakistan	0	0	1	1	0,1 %
France	1	2	0	3	0,2 %
Grande-Bretagne	0	1	0	1	0,1 %
Autriche	0	1	0	1	0,1 %
Chili	0	1	0	1	0,1 %
Sénégal	0	1	0	1	0,1 %

TABLEAU 8. Réception des plaintes (échelonnement dans le temps (1972-1973))

	Nombre de plaintes par mois	Nombre cumulatif
Avril	57	57
Mai	66	123
Juin	69	192
Juillet	58	250
Août	74	324
Septembre	57	381
Octobre	184*	565
Novembre	63	628
Décembre	32	660
Janvier	65	725
Février	125	850
Mars	93	943

\* Plus d'une centaine de ces plaintes se rapportent au même sujet: la désignation de postes bilingues à Winnipeg et à Edmonton.



TABLEAU 3. Dossiers ouverts en 1972-1973

Plaintes mettant en cause des institutions fédérales	Plaintes ne mettant pas en cause des institutions fédérales déterminées	943 (100 %)	
		109 (11,6 %)	834 (88,4 %)

TABLEAU 4. Langue des plaignants

Langue des plaignants	1970-1971		1971-1972		1972-1973	
	137 (76 %)	44 (24 %)	591 (79 %)	154 (21 %)	666 (71 %)	277 (29 %)
Français						
Anglais						

TABLEAU 5. Transmission des plaintes (1972-1973)

Autres moyens (télégramme, journal, note, etc.)	943 (100 %)	
	780 (83 %)	17 (2 %)
Par lettre		
Par renvoi		
En personne		
Par téléphone		
Autres moyens (télégramme, journal, note, etc.)		

TABLEAU 6. Origine géographique des plaintes (1972-1973)

Origine géographique des plaintes	943 (100 %)	
	1	942 (99,9 %)
Terre-Neuve		
Ile-du-Prince-Édouard		
Nouvelle-Écosse		
Nouveau-Brunswick		
Québec		
Ontario		
Manitoba		
Saskatchewan		
Alberta		
Colombie-Britannique		
Yukon et Territoires du Nord-Ouest		
États-Unis		
Pakistan		

\*Ce nombre tient compte des plaintes provenant de la capitale nationale.

\*\*Ce nombre comprend 108 plaintes reçues concernant la désignation de postes bilingues à Winnipeg par le ministère de la Main-d'œuvre et de l'Immigration.

niques comme l'aviation, la recherche scientifique ou la météorologie, cré l'anglais comme principale langue d'usage ou de communication. Chaque fois qu'il apparaît au Service des plaintes qu'une plainte soulève une question peu importante, même si elle implique une contre-vention à la loi, le bureau du Commissaire, après avoir envoyé un préavis comme l'exige l'article 27, tente de régler la plainte par un appel téléphonique ou par une visite à l'institution concernée. Une telle démarche se fait sans formalisme et a pour objet de fournir une réponse au plaignant dans les plus brefs délais.

d) L'appréciation

On trouvera plus loin des appréciations, basées sur les trois premières années d'activités du bureau du Commissaire, qui rendent compte de la collaboration reçue de certaines institutions fédérales. La contribution du Service des plaintes à ce travail est liée dans une large mesure au comportement des institutions au cours d'instances de plaintes et à la mise en vigueur des recommandations formulées à la suite de ces instructions. Dans certains cas, on pouvait évaluer, avec preuve à l'appui, la « performance » des institutions en matière de respect de la loi; dans d'autres, on manquait d'éléments concluants.

L'ensemble des plaintes

TABLEAU 1. Nombre de dossiers par année

	1970-1971	1971-1972	1972-1973
Ouverts	181	745	943
Fermés	115 (64 %)	602 (80 %)	827 (88 %)
A l'étude à la fin de l'année.	66 (36 %)	143 (20 %)	116 (12 %)

TABLEAU 2. Nombre cumulé de dossiers pour les trois années

Ouverts	1 869
Fermés	1 753*
A l'étude	116

\*Ce nombre comprend les 143 dossiers demeurés ouverts au 1<sup>er</sup> avril 1972.

série de mesures qui doivent être prises, sans trop de dérangement, en vue de donner éventuellement au français, dans une fonction publique qui a surtout été unilingue anglaise dans le passé, une importance et un statut égaux à l'anglais. De nombreux fonctionnaires unilingues anglais sont entrés dans le mouvement de bonne grâce, sinon avec enthousiasme. Il ne faudrait pas que leurs efforts soient contrecarés par la léthargie, inconsciente ou non, de quelques « mandarins ». Si ceux-ci estiment que dans la gestion de leur institution il y a d'autres problèmes plus importants, ils devraient se rendre compte qu'en définitive le domaine linguistique est un terrain sur lequel se joue un enjeu vital pour l'avenir du pays.

De plus en plus, des instructions de plaintes sont retardées par le fait que les institutions sont maintenant aux prises avec des problèmes que suscitent les directives du Conseil du trésor en matière d'identification et de désignation de postes bilingues. Il importe de faire une nette distinction entre les règlements de l'administration et les prescriptions de la Loi sur les langues officielles. Afin de donner suite au programme du Conseil du trésor, certains organismes se sont donné une nouvelle structure qui semble affaiblir leurs liaisons avec le bureau du Commissaire. Il faut rappeler l'importance que celui-ci attache à la réception de réponses complètes et promptes, ainsi qu'à la mise en œuvre de ses recommandations dans les plus courts délais. Le Conseil du trésor s'intéresse particulièrement aux exigences linguistiques des postes dans la fonction publique alors que la Loi sur les langues officielles, aux articles 9 et 10, insiste sur le droit du public d'être servi dans la langue officielle de son choix et qu'à l'article 2, elle reflète le souci du Parlement d'instaurer l'égalité du français et de l'anglais comme langues de service et de travail.

Les sommaires des plaintes ne sont pas toujours indicatifs des nombreuses démarches qu'a dû entreprendre le Service des plaintes avant d'en arriver à une solution. Dans des cas de plus en plus nombreux, l'agent de plaintes se rend dans les régions accompagné d'un représentant de l'institution mise en cause afin de discuter sur place avec le personnel du règlement d'une plainte. Ce genre de démarches a souvent des résultats heureux car il permet de faire connaître d'avantage les véritables objectifs de la loi. L'instruction de certaines plaintes de nature complexe prend à l'occasion une dimension assez large. Il en sera ainsi de plus en plus dans les cas qui concernent la langue de travail, où il devient nécessaire d'examiner les structures administratives, les directives, le milieu et même les attitudes. Le lecteur en trouvera des exemples dans les sommaires mettant en cause le bureau de l'Auditeur général, ainsi que les ministères du Revenu national (Douanes et Accise) et de l'Environnement. D'autres plaintes exigent également des instructions de longue durée parce qu'elles touchent des domaines tech-



L'expérience du Service des plaintes au cours de l'année écoulée a démontré que dans plusieurs cas certaines institutions fédérales maniaient assez peu de dynamisme pour renseigner le Commissaire d'une façon suffisamment complète sur le développement du bilinguisme, particulièrement lorsque les incidents rapportés s'étaient déroulés dans les bureaux régionaux. Outre que les retards étaient parfois considérables, les réponses manquaient souvent de précision. Même si les institutions avaient émis des directives en matière de bilinguisme, le personnel dans les régions les connaissait assez mal. On ne comprenait pas que les services devaient être offerts au public sans que celui-ci ait à insister pour être servi dans la langue officielle de son choix.

Face aux réformes suggérées par la Loi sur les langues officielles et aux accommodements administratifs proposés par le Conseil du trésor et la Commission de la fonction publique, d'aucuns y voient toute une

### c) *L'institution*

officielles.

lant la portée plutôt « passive » de l'article 38 de la Loi sur les langues culturelles et linguistiques des Indiens et des Esquimaux, tout en lui rappelant les préoccupations du correspondant qui cherchait à protéger l'héritage officielles au Canada. Le Commissaire a répondu qu'il partageait les inquiétudes et esquimaudes devaient être reconnues comme langues indiennes et correspondait à suggérer au Commissaire que les langues officielles a chacune des institutions fédérales.

Un correspondant a suggéré au Commissaire que les langues officielles a chacune des institutions fédérales, il n'a pu que suggérer au rédacteur de s'adresser en l'absence d'une agence centrale responsable de la publicité des institutions fédérales, la question ne soulevait pas de contravention à la loi mais, que le français et l'anglais bénéficiaient d'un tel concours. D'après le Commissaire, la question ne soulevait pas de contravention à la loi mais, et provinciaux en arguant que les journaux publiés en d'autres langues et provinciales pour obtenir de la publicité des gouvernements fédéral et provinciaux en arguant que les journaux publiés en d'autres langues.

Le rédacteur d'un journal publié en russe a demandé l'aide du Commissaire pour obtenir de la publicité des gouvernements fédéral et provinciaux en arguant que les journaux publiés en d'autres langues.

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Le Commissaire a reçu quelques plaintes relatives à l'article 38 de la loi qui concerne les droits ou privilèges des langues autres que les langues officielles acquis ou possédés en vertu de la loi ou de la coutume soit avant, soit après, le 7 septembre 1969. Par exemple, divers groupes ethniques ont écrit au Commissaire concernant l'acquisition par la société Radio-Canada de la station de radio de langue française CKSB de Saint-Boniface. Ils prétendaient que la société avait l'intention d'utiliser cette station pour diffuser exclusivement des émissions en français et demandaient au Commissaire d'intervenir afin que cette station continue à diffuser des émissions en d'autres langues. On trouvera le sommaire de ces plaintes aux dossiers 1661, 1662, 1702, 1972 et 1864 dans la section de Radio-Canada.

quons là-dessus que le public demeure libre de soumettre les griefs qu'il veut et que le Commissaire a l'obligation de les examiner et de leur donner suite dans les limites de la loi. Ce qui peut sembler banal à l'administrateur ou au journaliste est souvent ce fait sans doute anodin qui exaspère celui qui se refuse à devenir sceptique. Il est d'ailleurs inquitant de voir certaines institutions prendre un temps si considérable pour corriger des situations aussi simples. D'ailleurs, le Commissaire sachant que le citoyen qui prend la peine de se plaindre est un citoyen ayant le sens civique d'exercer ses droits, répugne à rejeter d'office, comme la loi l'y autorise, nombre de plaintes objectivement d'une importance marginale. En somme, à moins d'abus généralisé de cette invitation à s'exprimer, le Commissaire estime que rien n'est insignifiant si un seul citoyen l'estime pertinent.

Quelle que soit la nature des faits rapportés par le plaignant, le Service des plaintes doit, après avoir obtenu de lui tous autres renseignements utiles, demander à l'institution fédérale mise en cause une version aussi complète que possible. Le Commissaire ne peut prendre une décision objective sans avoir examiné avec soin les arguments des deux parties : suivre une autre procédure serait arbitraire et irait à l'encontre d'une interprétation honnête de la loi. On doit faire preuve de jugement et de prudence avant de conclure s'il y a eu ou non contravention à la loi. Il faut également s'en tenir aux prescriptions de la loi qui délimitent la compétence du Commissaire. Dans les cas qui sont hors de la juridiction de celui-ci, le Service s'efforce, par un recours officieux à d'autres instances, de fournir au correspondant des renseignements utiles. À la lecture des sommaires de plaintes ne mettant pas en cause des institutions fédérales déterminées, on verra de nombreux exemples de ce désir du Service des plaintes de donner suite aux doléances du public — jamais contre la loi, on l'espère, mais souvent en marge de la loi dans l'esprit le plus large de l'ombudsman.

Au cours de l'année écoulée, le Service des plaintes, comme le secrétariat du bureau, s'est occupé de plusieurs demandes de renseignements sur des questions concernant plus ou moins directement la Loi sur les langues officielles. Il s'agissait de la disponibilité de cours de langues pour les fonctionnaires ou pour les citoyens en général, de bourses pour étudier la langue seconde ou de discrimination ethnique. Sur ce dernier sujet, le Service s'est efforcé de mieux faire connaître l'existence de la Direction anti-discrimination de la Commission de la fonction publique, chargée d'enquêter sur toute discrimination fondée sur le sexe, l'origine ethnique, la couleur ou la religion. Le Service s'est également occupé de plusieurs cas soumis par des secrétaires-sténographes, dont le statut dans la fonction publique est assez particulier.

impliqueraient des conventions à la Loi sur les langues officielles. Des 943 dossiers ouverts au cours de l'exercice financier 1972-1973, 666 l'étaient au nom de francophones et 277 au nom d'anglophones (71 et 29 p. 100). Pour les exercices 1970-1971 et 1971-1972, les rapports étaient respectivement de 76 à 24 et de 79 à 21. Il y a donc une tendance vers un accroissement, au cours de la dernière année, des plaintes provenant des anglophones. Cela tient surtout au fait qu'un groupe de fonctionnaires du ministère de la Main-d'œuvre et de l'Immigration à Winnipeg et Edmonton a soumis plus de cent plaintes concernant l'application des directives de ce ministère dans le domaine du bilinguisme. Quant aux francophones, leur motivation résultait sans doute d'une certaine frustration devant le fait qu'une loi, en vigueur depuis quatre ans, n'avait pas encore réussi à installer dans l'administration fédérale l'habitude de servir en français une partie importante de la population canadienne ou à permettre aux fonctionnaires fédéraux de langue française, particulièrement au Québec, de travailler dans la langue de leur choix. Si les anglophones ont parfois des motifs de déplorer le manque de services en anglais, ils craignent surtout que le bilinguisme officiel ne les empêche de poursuivre normalement leur carrière dans la fonction publique.

La réception des plaintes continue à un rythme progressif, mais reste en deçà du nombre que le Commissaire pourrait recevoir, si l'on tient compte des progrès relatifs réalisés par l'administration fédérale dans le domaine du bilinguisme. Même si une publicité plus étendue a été organisée, il semble que de nombreux citoyens ignorent encore l'existence de la loi ou la procédure à suivre pour soumettre des plaintes. Cependant, de plus en plus nombreux sont ceux qui rapportent au Commissaire ce qu'ils croient être des contraventions à la loi. Ils ont la conviction d'exercer un droit qui leur a été accordé par le Parlement. Il est évident que beaucoup de personnes, pour des raisons diverses, négligent d'exercer ce droit. D'autre part, il serait illusoire de prétendre qu'une institution fédérale peut se mériter un certificat d'excellence uniquement du fait que le Commissaire n'a reçu qu'un petit nombre de plaintes la mettant en cause. Dans ce cas, c'est la répétition de plaintes de même nature ou l'ampleur des griefs qui seraient révélatrices de situations sérieuses.

Les associations culturelles à travers le pays pourraient inviter leurs membres à se tenir davantage en alerte afin de porter à l'attention du Commissaire des faits ou des situations qui à leur avis contreviennent à la Loi sur les langues officielles. L'effort d'information du Commissaire s'est d'ailleurs concentré de plus en plus sur ces associations, notamment celles d'envergure provinciale.

D'aucuns ont constaté que certaines plaintes n'étaient pas très importantes, que parfois même elles étaient « insignifiantes ». Remar-



Service a procédé pendant l'exercice financier 1972-1973 à la suite de plaintes reçues par le Commissaire en 1971-1972 et 1972-1973. Les 143 dossiers à l'étude au 31 mars 1971 ont tous été fermés. En 1972-1973, 970 dossiers ont été fermés, dont 136 ne mettaient pas en cause des institutions fédérales déterminées. Du répertoire des plaintes concernant des institutions fédérales déterminées, 109 sommaires ont été omis pour diverses raisons : des plaignants ont décidé de retirer leurs plaintes ou la nature de leurs griefs risquait de révéler leur identité, les faits rapportés touchaient des sujets déjà relatés dans d'autres sommaires ou étaient trop peu significatifs pour justifier leur inclusion dans ce rapport.

Dans nombre d'instructions il a suffi de porter un fait ou une situation à l'attention de l'institution mise en cause pour que celle-ci prenne immédiatement les mesures qui s'imposaient. Dans les autres cas qui impliquaient des contraventions à la loi, le Commissaire a dû formuler des recommandations et, à l'occasion, discuter des modalités de leur application. Selon une exigence de la loi, ces recommandations ont été portées à l'attention du greffier du Conseil privé qui pouvait prendre l'initiative d'y donner suite, s'il le jugeait à propos. Lorsque cela s'avérait nécessaire, le Service des plaintes a organisé des suivis afin de vérifier les renseignements fournis par les institutions. Pendant les trois premières années, à la suite de plaintes, le Commissaire a fait 426 recommandations à des institutions fédérales. Le greffier, depuis quelques mois, a décidé d'en informer le Secrétariat du Conseil du trésor.

Dans le cas d'Air Canada, le Service des plaintes n'a pas jugé utile de répéter certaines recommandations déjà faites à la suite de l'inspection de plaintes de même nature, la société s'étant contentée d'offrir les mêmes raisons pour n'avoir pas respecté les exigences de la loi. À l'occasion, l'agent de plaintes a constaté que la meilleure façon de régler certains problèmes serait de confier ceux-ci au Service des études spéciales, dont le rôle consiste à examiner des situations qui dépassent le cadre d'une simple plainte. Citons à titre d'exemple la Gendarmerie royale du Canada au Nouveau-Brunswick, le Conseil du trésor, la Commission de la fonction publique et la Commission canadienne des transports. Au point de vue procédure, une plainte concerne un cas particulier qui est soumis par le public et qui demande une solution immédiate, alors qu'une étude spéciale est une initiative du Commissaire en vue de trouver des solutions systématiques et plus larges à long terme.

## b) *Le plaignant*

Les activités du Service des plaintes sont liées à la décision du public de porter à l'attention du Commissaire des cas ou des situations qui

Depuis l'entrée en fonctions du Commissaire en avril 1970, le Service des plaintes s'est acquitté de tâches de plus en plus lourdes, en raison de l'augmentation constante et de la complexité accrue des plaintes. Si la première année n'a compté que 181 plaintes (l'adresse, voire l'existence, du Commissaire n'étant pas encore très connue), au cours de la deuxième année le nombre de plaintes est passé à 745. Le chapitre suivant contient un rapport sur les instructions auxquelles le

Du 1<sup>er</sup> avril 1972 au 31 mars 1973, le bureau du Commissaire a reçu 943 plaintes, dont 834 mettaient en cause 71 institutions fédérales (voir le tableau n° 11). Les 109 autres plaintes concernaient des sujets divers : éducation, provinces, entreprises privées, députés fédéraux, syndicats de fonctionnaires, sans oublier l'article 38 de la Loi sur les langues officielles intéressant les langues autres que le français et l'anglais (voir le tableau n° 14).

## a) Bilan

### 2. Les plaintes : Nous sommes tout oreilles

\* Etude documentaire faite en vue de la préparation du Deuxième rapport annuel.

Commission d'assurance-chômage	11/12/72	7/3/73	Commission de la fonction publique
Secrétariat du Conseil du trésor	26/1/73		
Centre national des arts	6/12/72		
Bibliothèque nationale	23/11/72		
Ministère des Postes	27/10/72		
Bien-être social (Bien-être)	25/10/72		
Ministère de la Santé et du			
Ministère du Revenu national (Impôts)	28/6/72		
Traductions*	19/6/72		
Secrétariat d'Etat—Bureau des			
Chemins de fer nationaux du Canada	13/6/72		
Air Canada	13/6/72		
l'Immigration	13/6/72		
Ministère de la Main-d'œuvre et de	12/6/72		
Bien-être social			
Ministère de la Santé et du	12/6/72		
Ministère de l'Environnement	12/6/72		
Ministère de l'Agriculture	12/6/72		
Commission d'assurance-chômage	12/6/72		
Ministère des Postes	12/6/72		
Ministère du Revenu national	12/6/72		
Nord canadien (Canaux)	15/5/72		
Ministère des Affaires indiennes et du	21/4/71		
Bureau du Directeur général des élections	30/3/72		
Chemins de fer nationaux du Canada	27/3/72		
Statistique Canada—Recensement de 1976	17/12/71		
(Douanes et Accise)			
Ministère du Revenu national			

Moncton

services offerts aux voyageurs, a permis au Service des études spéciales d'acquérir une expérience enrichissante qu'il compte bien mettre à profit pour continuer à aider le Commissaire dans ses interventions « préventives ».

TABLEAU 1. Institutions fédérales qui ont été l'objet d'études menées par le bureau du Commissaire aux langues officielles

Institutions	Date du lancement de l'étude	Date d'achèvement
Cabinets des ministres	21/ 9/70	1970-1971
(réponses au téléphone)	9/10/70	1970-1971
Air Canada—Ottawa	13/10/70	1970-1971
Ministère des Transports—Ottawa	18/12/70	1970-1971
Musées nationaux du Canada	4/ 2/71	1970-1971
Commission de la capitale nationale	5/ 2/71	1970-1971

Gendarmerie royale du Canada	9/ 2/71	1971-1972
Statistique Canada	17/ 2/71	1971-1972
Ministère de la Défense nationale	18/ 2/71	1971-1972
Base des forces canadiennes—Uplands	8/ 3/71	1971-1972
Ministère des Travaux publics—Ottawa	15/ 3/71	1971-1972
Ministère des Travaux publics—Winnipeg	22/ 4/71	1971-1972
Ministère de la Main-d'œuvre et de l'Immigration—Winnipeg	22/ 4/71	1971-1972
Ministère de la Main-d'œuvre et de l'Immigration—Ottawa-Hull	2/ 5/71	1971-1972
Eldorado nucléaire limitée	27/ 4/71	1971-1972
Société centrale d'hypothèques et de logement	27/ 4/71	1971-1972
Energie atomique du Canada limitée	27/ 4/71	1971-1972
Ministère des Communications	27/ 4/71	1971-1972
Conseil national de recherches	27/ 4/71	1971-1972
Ministère de l'Agriculture	27/ 4/71	1971-1972
Radio-Canada	27/ 4/71	1971-1972
Ministère de l'Energie, des Mines et des Ressources	27/ 4/71	1971-1972
Ministère des Affaires extérieures	12/ 5/71	1971-1972
Ministère de l'Industrie et du Commerce	12/ 5/71	1971-1972
Ministère de la Main-d'œuvre et de l'Immigration	12/ 5/71	1971-1972
Société centrale d'hypothèques et de logement	26/ 5/71	1971-1972
Ministère des Affaires indiennes et du Nord canadien (Parcs nationaux et historiques)	21/ 5/71	1971-1972
Air Canada—Paris et Londres	9/ 8/71	1971-1972
Société du crédit agricole	21/ 9/71	1971-1972
Air Canada	19/12/71	1971-1972
Ministère de l'Environnement (Service de l'environnement atmosphérique)	12/ 1/72	1971-1972



pie. Il faut cependant espérer que la génération actuelle de parents et d'enfants choisira volontairement la route qui mène au bilinguisme — au moins à une connaissance passive de la seconde langue officielle — ajoutant ainsi une corde à l'arc de presque tous les candidats aux postes de la fonction publique de l'an 2000.

### *c) Les travaux et les jours*

Comme par le passé, le Commissaire énumère, par ordre de lancement des études, les institutions qui ont fait l'objet d'une étude spéciale au cours de l'année financière 1972-1973 (voir tableau 1). Toutefois, afin de faciliter l'examen que fera le Parlement de l'aspect cumulatif du travail du bureau, le tableau de cette année reprend et complète ceux des deux premiers rapports. Le lecteur trouvera plus bas, au chapitre III, les résumés des études, la liste des recommandations formulées par le Commissaire et, s'il y a lieu, la description et l'évaluation des mesures prises par les institutions à la suite des études.

Le Parlement trouvera peut-être utile que le Commissaire reprenne ici les renseignements qu'il avait fournis, le 10 avril 1973, devant le Comité permanent de la Chambre des communes sur les prévisions budgétaires en général au sujet des travaux accomplis par le Service des études spéciales pendant l'exercice 1972-1973. Le Service a entrepris 21 nouvelles études, tout en poursuivant deux lancées l'année précédente, effectuant ainsi 23 études intéressant 17 ministères et organismes. Le 31 mars 1973, 21 de ces 23 études étaient achevées. En outre, le Service s'était enquis auprès de 25 ministères et organismes des suites données aux 600 et quelques recommandations qui leur avaient été faites à l'issue de 40 études spéciales. Comme la période d'évaluation a été prolongée de six mois, soit jusqu'en septembre 1973, il est évident que le travail de suivi qui en a résulté et qui, à proprement parler, fera partie de l'activité qui sera décrite dans le rapport de l'exercice 1973-1974, a consommé beaucoup du temps et de l'énergie du personnel du bureau.

Au cours des études, le personnel s'est frotté aux réalités du fonctionnement d'un bon nombre de bureaux situés d'un bout à l'autre du pays, quand bien même la plupart des études visaient, comme précisé plus haut, les lignes de conduite, les pratiques courantes et les projets des sièges des institutions. A deux occasions, et conformément aux critères de sélection déjà mentionnés, des régions géographiques particulières, à savoir la région de la capitale nationale et celle de Moncton, ont fait l'objet d'une attention particulière.

Toute cette activité, dans des domaines variés, allant des services assurés par une bibliothèque aux responsabilités de gestionnaire et d'employeur du Secrétariat du Conseil du trésor, en passant par les

tion dans les deux langues officielles et des tentatives — bien qu'encore timides — sont faites pour permettre au fonctionnaire francophone de travailler dans sa langue.

Certains employés fédéraux craignent toujours que la réforme linguistique ne sape ou même ne fasse complètement disparaître les meilleures traditions de la fonction publique. Pourtant, les organismes chargés de concrétiser cette réforme ont clairement manifesté qu'il n'en trait pas dans leurs intentions de démanteler le système en place. La nécessité de servir le public dans les deux langues officielles et le besoin de réaliser l'égalité de statut des deux langues comme langues de travail, au sein de la fonction publique, n'en entraînent pas moins une transformation de la fonction publique.

Nombreuses seront les implications et les répercussions de ce changement. Certaines ne seront évidentes que d'ici quelques années. Peut-être n'est-ce pas trop que d'affirmer que non seulement le contexte juridique, mais aussi le contexte psychologique, sont maintenant différents. Dans ce cas, il faudrait se demander quel est le genre de fonctionnaire qui conviendra à la bureaucratie fédérale de demain. La rapidité des modifications technologiques a déjà vieilli les connaissances techniques et périmé les compétences requises pour l'accomplissement de certains travaux, notamment les travaux de gestion. Il est probable que le caractère « bilingue » de la fonction publique fédérale provoquera un examen plus attentif du bilinguisme comme élément à part entière du « principe du mérite » dans le contexte canadien présent et futur.

En d'autres termes, on peut se demander s'il ne faut pas s'attendre du fonctionnaire idéal de demain, servant, sous la direction de ses dirigeants politiques, un pays bilingue, qu'il dispose, parmi l'éventail de ses capacités, d'une connaissance poussée des deux langues officielles. Le poids à donner à ces connaissances linguistiques dans une « équation du mérite » serait bien sûr fonction des tâches concernées. Il faudrait néanmoins reconnaître la valeur intrinsèque d'une connaissance des deux langues officielles qui ne fût pas limitée aux seules exigences qu'imposent ce qu'on a baptisé des « postes bilingues ».

Soulever une telle question (traitée plus amplement au chapitre premier), c'est ouvrir la boîte de Pandore et se faire rappeler que l'accès aux postes de la fonction publique serait alors limité pour les unilingues des deux groupes linguistiques, que les personnes peu douées pour l'apprentissage des langues seraient défavorisées, et que les fonctionnaires déjà en place risqueraient de voir leur carrière s'en aller à vau-l'eau. Bien sûr, même s'il y a encore beaucoup à faire pour ouvrir aux francophones unilingues les portes d'accès aux postes de la fonction publique, il existe des garanties suffisantes pour éviter que ne se produisent des conséquences aussi fâcheuses. Les regards du Commissaire et de ses collègues sont tournés vers l'avenir, avec, probablement, un brin d'auto-

enseigne qu'il ne faut pas attendre de la plus belle fille du monde plus que ce qu'elle a. Les institutions auraient certainement intérêt à ne claironner leur aptitude à assurer des services dans les deux langues que lorsque celle-ci est suffisante et seulement au fur et à mesure qu'elle se manifeste.

Si la modestie est une vertu, la distraction, par contre, peut être parfois mère d'une colère irrépressible. Certaines institutions, pourtant linguistiquement bien nanties, persistent à envoyer des lettres ou des imprimés dans la « mauvaise » langue. Le cas typique qui vient à l'esprit est celui de l'organisme qui écrit en anglais non seulement à des personnes au nom manifestement français mais encore à des associations de francophones ! Une façon d'éviter ce genre de mésaventure serait de disposer d'une quantité suffisante de matériel imprimé dans les deux langues. La distribution de formules, publications, lettres-formulaires imprimées séparément en anglais et en français entraînera toujours des difficultés. Quand un document ou une publication n'est disponible dans les deux langues qu'en éditions séparées, les institutions devraient s'assurer qu'elles disposent, partout, de stocks suffisants des deux versions; autrement, elles seront si peu en mesure de fournir du matériel dans l'une des deux langues qu'elles sembleront ne pas l'être du tout.

Il est très désagréable de faire des erreurs, et encore plus désagréable de se voir attribuer celles des autres. Certaines institutions ont pris la louable initiative de faire imprimer en édition bilingue l'ensemble, ou presque, des imprimés qu'elles distribuent au public. Toutefois, il leur arrive d'exposer, que ce soit par courtoisie ou en raison de liens de travail étroits, du matériel unilingue seulement (habituellement en anglais) provenant d'autres organismes. Ignorant la source exacte des documents « contrevenants », le public s'empresse de stigmatiser les institutions qui les exposent. Celles-ci, pour se protéger, même en partie, de ces accusations auraient intérêt à isoler et à identifier clairement — au moyen d'étiquettes bilingues par exemple — les imprimés qui ne proviennent pas d'une institution fédérale. Mais n'y a-t-il rien de plus ironique, pour ne pas dire de plus désolant, que de voir parfois du matériel bilingue, imprimé recto verso, exposé de façon qu'une seule des versions soit en évidence ?

## 8) *Le fonctionnaire, victime du choc du futur*

Tout va si vite dans tous les domaines de la vie qu'il est possible que les fonctionnaires ne se rendent pas compte à quel point leur travail a changé. La Loi sur les langues officielles a eu pour effet de transformer le milieu du fonctionnaire. Cette évolution est heureuse : la fonction publique s'efforce maintenant de mieux servir la popula-



A ceux-là, le Commissaire conseille de battre la caisse et d'annoncer à tout venant, c'est-à-dire dans les media des *deux* langues, l'existence de ces services bilingues. Ensuite, et c'est bien plus important, ils devraient, comme le Commissaire l'a proposé dans son deuxième rapport annuel et dans sa « Trousse de l'explorateur », offrir activement leurs services aux clients. Répondre au téléphone avec bonne humeur et dans les deux langues (sans oublier, le cas échéant, de transmettre courtoisement l'appel à un employé qui possède suffisamment la langue de l'interlocuteur) ou utiliser des affiches et des panneaux d'information bilingues, voilà déjà qui peut faciliter les choses. Évidemment, la sagesse

Peut-être est-ce là que gît le lièvre. Dans tout organisme fortement décentralisé, les initiatives venant du siège ont toujours le don d'irriter. Après tout, dans un pays aussi vaste, embrassant un continent tout entier, et aux particularités régionales si nombreuses, la décentralisation n'est-elle pas la solution logique de l'avenir ? Toutefois, sans vouloir s'ingérer dans les affaires des institutions, le Commissaire se demande si une mise en application vigoureuse d'une nouvelle loi ne requiert pas que ces institutions fassent là une exception, quitte à s'écarter du principe de la décentralisation aussi longtemps que durera la période d'adaptation. Une telle proposition n'entraîne pas nécessairement que les directeurs régionaux se voient supprimer leurs pouvoirs habituels, que ce soit en matière de recrutement ou dans d'autres domaines. Elle signifie simplement que, dans les efforts qu'ils entreprendront en vue d'administrer leurs programmes conformément aux dispositions de la loi, ils devront recevoir du siège une orientation claire et précise ainsi que le soutien nécessaire. Les avantages potentiels en matière de clarté, de rapidité, de cohésion, d'uniformité et d'efficacité contrebalancent probablement les effets négatifs — certaines susceptibilités pourraient être choquées — que ce qui serait perçu comme un « téléguillage » venant d'Ottawa risque de provoquer momentanément. De fait, les visites faites par le personnel du Commissaire aux bureaux régionaux et locaux ont révélé que beaucoup de fonctionnaires qui y travaillaient accueilleraient volontiers toute directive claire venant du siège de leur organisme.

## 7) *L'art de prêcher pour sa propre paroisse*

## 6) *Centralisation ou décentralisation ?*

ques profondes, devrait faire partie *intégrante* de l'ensemble des opérations des institutions. Il ne s'agit pas de faire entrer le bilinguisme dans la composition d'un salmigondis administratif quelconque, mais bien, pour chaque institution, de faire tout ce qui est en son pouvoir pour respecter l'esprit et la lettre d'une loi promulguée voilà plus de quatre ans ainsi que l'intention du législateur.

## 5) *Vin nouveau et vieilles chopines ou comment couler des idées nouvelles dans un moule ancien*

Le Commissaire et ses collègues encouragent les institutions à considérer l'application de la loi comme partie intégrante de leurs opérations normales, mais ils les exhortent également à reconnaître que cette loi innovatrice exige que l'on prenne des mesures spéciales en vue d'accélérer cette intégration.

Le Commissaire a constamment préconisé, entre autres choses, la nomination, à un poste clé de la hiérarchie des institutions, d'un responsable chargé, au niveau des opérations, de l'application de la loi. Cette personne, évidemment, doit jouir de certains pouvoirs (ceux, par exemple, d'un sous-ministre adjoint) qui lui permettent d'être en relations suivies avec le sous-ministre ou un autre chef administratif. Un haut fonctionnaire de ce rang siège en général au comité de direction de l'institution; il est, en outre, investi d'autres fonctions que celles qui se rapportent au bilinguisme. C'est en concentrant ainsi les responsabilités qu'on peut éviter les conséquences fâcheuses d'une dispersion de l'autorité. Le diction selon lequel « la responsabilité de tous est la responsabilité de personne » s'est maintes fois vérifié dans les faits.

En défendant ce point de vue, le Commissaire ne cherche pas à « scotomiser » l'argument contraire voulant qu'un chef administratif doive tenir tous ses adjoints immédiats comme responsables, dans leurs sphères propres, de l'application de la loi et des politiques gouvernementales en matière de langues officielles. En fait, il serait possible de soutenir que cette méthode favoriserait l'intégration dont il est question plus haut. Bien sûr, si le chef administratif d'une institution éprouve un penchant incoercible pour cette stratégie et s'il prend à son compte la responsabilité de l'application de la loi dans son organisme, tout est pour le mieux dans le meilleur des mondes bilingues possibles et le programme sera à coup sûr l'objet de soins attentifs.

Quelle que soit la manière de répartir les responsabilités, l'important c'est ce qui se fait en réalité. L'expérience du bureau, bien que limitée, révèle le besoin d'une planification centralisée à long terme, à l'échelle du pays. Ce besoin est particulièrement aigu dans le domaine du personnel. Toutefois, des domaines aussi simples que la signalisation et les publications pourraient bénéficier d'une telle planification.

tenir l'équivalent d'un service d'interprétation simultanée à distance lorsqu'ils ne sont pas en mesure de s'exprimer dans la langue officielle choisie par leur interlocuteur ou quand ils ne sont pas suffisamment compétents dans la langue de ce dernier pour assurer un service de qualité. Indépendamment des avantages en matière de courtoisie, de rapidité et d'efficacité, un recours intelligent à la technologie devrait fournir en quelque sorte un soutien mécanique au bilinguisme *institutionnel* et soulager ainsi un effectif bilingue squelettique déjà fortement sollicité. Le Commissaire et ses collègues sont en effet fortement attachés au principe du bilinguisme institutionnel dont l'égalité d'accès des Canadiens unilingues — francophones ou anglophones — aux postes de la fonction publique est l'un des corollaires, un autre étant que la carrière de ces fonctionnaires ne devrait pas être menacée par un replâtrage des structures administratives en vue d'assurer des services bilingues. Les principales mesures considérées actuellement comme optimales, à savoir l'identification et la désignation des postes bilingues, posent déjà le problème de l'« offre ». En d'autres termes, il ne sert à rien aux défenseurs d'un accroissement du bilinguisme dans la fonction publique fédérale de reprendre inlassablement la même antienne à propos de la « demande » s'ils n'ont pas une connaissance précise des problèmes que pose la carence de ressources humaines et en particulier de personnes réellement bilingues, qualifiées pour occuper un poste particulier et prêtes à accepter une mutation dans n'importe quel endroit du pays (bien qu'il soit difficile de ne pas remarquer la réticence qu'il y a que jusqu'ici à recruter des employés francophones unilingues).

4) *Toutes les priorités sont égales, sauf celles qui le sont plus que les autres*

La meilleure évaluation qu'on puisse probablement faire de l'attitude que prend une institution vis-à-vis de la loi est de déterminer quelle est la « priorité » que sa direction accorde, dans le cadre de ses activités propres, à l'application de la loi. A la lumière des trois années financières qui viennent de s'écouler, et notamment de la dernière, le Commissaire en est venu à considérer avec méfiance toute déclaration selon laquelle la loi occupe une place de choix — on pousse parfois la « bonté » jusqu'à lui accorder la deuxième ou la troisième — dans l'ordre des priorités d'un ministère. (Il faut, évidemment, considérer à part le cas d'organismes centraux qui ont un rôle spécial à jouer en matière de langues officielles.) Des nombreuses entrevues et discussions que les membres du Bureau ont eues avec la plupart des représentants des ministères, il ressort très clairement que la loi ne saurait être considérée autrement que comme un texte fondamental qui, en raison de ses implications politi-



doivent être servis dans la langue officielle de leur choix : le contraire a toujours raison quand il s'agit de la langue de service.

Ensuite seulement, ils décideraient des endroits où des services très limités seraient offerts et de ceux où ils seraient manifestement inutiles.

Voilà donc une tactique totalement différente de celle qui consiste à éliminer des régions entières du pays sur la base de critères arithmétiques rigides et à voir ensuite quel est le *minimum* à faire pour fournir des services dans les deux langues officielles. Cette attitude est doublement vicieuse : d'une part, elle est par trop négative et, d'autre part, elle est par trop territoriale. Le premier vice, plaçant l'organisme sur la défensive, est invariablement source de plaintes car il empêche les institutions de faire suffisamment la part d'éventualités. Le deuxième vice est encore plus inquiétant car il réduit considérablement les chances qu'ont les petites minorités parlant la langue seconde de recevoir les services appropriés et il empêche virtuellement les Canadiens (il s'agit encore une fois presque toujours des francophones) de se sentir chez eux dans leur pays. Et cette situation subsistera aussi longtemps qu'on ne suivra pas la voie ouverte par les institutions qui servent les voyageurs et qui sont suffisamment équipées pour cela *a mari usque ad mare*. En bref, le Commissaire et ses collègues aimeraient que le critère de l'opportunité administrative soit reconsidéré et l'interprétation de l'esprit de la loi et de l'intention du législateur élargie.

Il faut créer l'infrastructure administrative qui permettrait, dans les faits, de donner à la loi une interprétation large. Les « gadgets » dont les administrateurs disposent déjà pourraient s'avérer utiles. Par exemple, l'utilisation d'appareils radiotéléphoniques et même de téléphones ordinaires reliant des bureaux très éloignés les uns des autres peut considérablement accroître la possibilité qu'a une institution de fournir des services bilingues sur une très vaste étendue. À ce propos, il est important qu'un employé qui reçoit un appel dans une langue officielle qui n'est pas la sienne puisse, rapidement et poliment, passer la communication à un collègue — fut-il éloigné de 500 milles — capable d'assurer le service dans cette langue. Les planificateurs d'opérations à court terme ou à caractère cyclique, qui doivent tenir compte de la présence d'un personnel temporaire, pourraient juger très utile le recours à une telle technique. D'autre part, les gestionnaires en charge d'opérations plus régulières pourront trouver cette stratégie avantagieuse à double titre; d'une part, ils pourront concentrer leur précieux effectif bilingue là où la demande est la plus forte, tout en assurant un minimum de capacité dans les autres endroits et, simultanément, ils pourront mettre ce même effectif à profit pour desservir des régions entières.

De même, des agents itinérants (comme les inspecteurs des pêcheries) pourraient à l'aide de « walkies-talkies » ou d'autres appareils, ob-

De cette façon, les gestionnaires de toutes les institutions auraient, vis-à-vis des questions relatives à la langue de service, une attitude des plus positives. Ils partageraient ainsi du principe qui veut que les citoyens

ont à servir un public itinérant.

plus haut. Cela est particulièrement valable pour les institutions qui d'effectifs bilingues indépendamment des aspects concrets mentionnés presque — ils trouveront nécessaire de disposer d'un minimum absolu envisager la possibilité d'adopter une telle attitude. A coup sûr — ou notamment ceux qui servent une clientèle importante, devraient traiter et pratique, la plupart des ministères et des autres institutions, et néanmoins, il est possible de suggérer que, d'un point de vue administratif, l'article 10 permettrait d'en étendre l'application à d'autres opérations;

Il serait absurde de suggérer qu'une interprétation raisonnable de vérité dans l'esprit de ceux qui servent les voyageurs.

avec un entêtement qui confine au désespoir, d'instiller cette simple dans les deux langues. Le Commissaire et ses collègues se sont efforcés, l'étranger, servent les voyageurs, de supposer qu'il existe une demande

L'article 10 de la loi impose aux institutions qui, au pays ou à l'étranger, servent les voyageurs, de supposer qu'il existe une demande

3) *Parlez anglais ou français, vous aurez, toujours raison (Faire comme si la demande existait)*

traitement que cela.

Une loi qui touche au plus profond de la vie du pays mérite meilleur traitement que cela.

libre cours aux caprices de jugements personnels quelque peu limités. voir ces derniers, tout informés qu'ils soient des affaires locales, laisser aussi concrets à l'amateurisme de ces pseudo-politiciens locaux, est de du législateur. Le danger, en laissant les décisions dans les domaines non seulement la lettre de la loi, mais encore son esprit et l'intention ques du pays); mais on ne devrait ménager aucun effort pour respecter supérieurs de l'administration qu'ils tiennent compte des réalités politiques limites raisonnables qu'elle-même prescrit (et l'on attend des cadres les partis. Certes, il est sage d'appliquer les dispositions de la loi dans matières politiques s'inquiéter de l'application d'une loi adoptée par tous dire, avec toute la délicatesse dont ils sont capables, de laisser leurs sinon inférieur, qui veulent jouer les politiques, ils sont tentés de leur collègues rencontrent des fonctionnaires situés à l'échelon intermédiaire, concrets et les questions relatives au personnel, le Commissaire et ses De plus, quand au cours de discussions portant sur les aspects que d'autres institutions devraient songer à emprunter.

Le Commissaire a conclu que ces panneaux bilingues indiquent le chemin vrai, sert les voyageurs par l'intermédiaire de cette direction particulière, ter) au public. De l'heureuse expérience de ce ministère, lequel, il est

premiers sont d'ordre pratique, les seconds d'ordre psychologique. Les fonctionnaires, soucieux à juste titre de gérer les deniers publics avec sobriété et discernement, invoquent volontiers des arguments d'ordre pécuniaire, fondés sur les craintes que leur inspire les risques d'avoir à faire face à des coûts élevés et à du gaspillage. Ce sont là des considérations pratiques tout à fait légitimes dont le Commissaire et ses collègues ont pleinement conscience. Toutefois, l'expérience qu'ont, en la matière, certaines institutions (le bureau du directeur général des élections, par exemple) montre que le coût de l'impression de ce matériel n'est guère plus élevé lorsqu'on ajoute une seconde langue. Quant aux craintes de « gaspillage », il semble bien qu'elles trouvent leur fondement dans un mythe, ou à tout le moins une préconception qu'il serait facile de corriger si on procédait à des appels d'offres. Une augmentation marginale du coût est certes justifiée si l'on ne perd pas de vue que la justice linguistique au Canada est en jeu.

Si, d'un côté, on invoque habituellement des raisons pécuniaires pour refuser d'accorder, pourtant commodément, l'égalité de statut aux deux langues sur les imprimés, on argue, de l'autre, de considérations psychologiques pour critiquer l'installation de panneaux et d'écriteaux bilingues en dehors des régions du pays où ils sont absolument nécessaires. Certains fonctionnaires bien intentionnés, désireux de faire promouvoir la cause de la justice linguistique, semblent penser que la simple présence de la langue officielle minoritaire dans une région donnée (il s'agit presque toujours du français) déclenchera des réactions hostiles, sinon des manifestations, et provoquera une sorte de retour de flamme dont pâtiraient la loi et l'ensemble de la politique gouvernementale en matière de langues officielles.

Le Commissaire et ses collègues sont loin d'être convaincus que quelques mots de français sur un panneau bilingue déclenchent nécessairement une révolution sanglante. Bien au contraire, ils savent que de nombreuses petites réformes de ce genre ont été introduites sans pour autant mettre sens dessus dessous des villes pourtant réputées « difficiles ». Par exemple, dans le cadre d'un travail de suivi sur le terrain entrepris en été 1973, des membres du Service des études spéciales, accompagnés de représentants du ministère des Affaires indiennes et du Nord, ont pu constater qu'aucun des écriteaux ou plaques bilingues apposés dans le cadre d'un programme national par la Direction des lieux et des parcs historiques n'avaient subi de mutilations, et cela même dans des endroits qui surprendront certains défenseurs acharnés de la loi, qui, victimes involontaires de stéréotypes, préféreraient peut-être agir en faisant montre de ce qu'ils pensent être un réalisme prudent. Et il convient de préciser qu'il ne s'agissait pas seulement des panneaux qui désignent les institutions et les édifices fédéraux, mais encore de ceux qui transmettent des renseignements (direction à suivre, dangers à évi-



Le français qui est parlé par tel ou tel ménage. Ainsi, pour prendre un exemple, on saurait quel devrait être le « profil linguistique » du personnel d'un nouveau bureau de poste pour faire face à la demande. Mais où la mesure est comble, c'est lorsque les institutions ont recours aux critères statistiques traditionnels pour décider dans quelle langue distribuer un imprimé, apposer un avis ou une affiche, installer un panneau. Car c'est une chose que de vouloir éviter tout gaspillage des maigres ressources de personnel bilingue qu'entraînerait une concentration exagérée d'effectifs bilingues dans un endroit où cela n'est pas nécessaire, et une tout autre que de mettre sur le même pied les aspects tangibles des services (imprimés, affiches, panneaux, etc.) et ceux qui ressortissent à des services assurés par un personnel hautement qualifié.

Et pourtant, il est encore des gestionnaires qui hésitent à appliquer, en quelque sorte à rebours, le principe de l'opportunité administrative et à reconnaître tout simplement combien il est facile, par exemple, d'opter pour l'utilisation, à l'échelle du pays, de publications, d'affiches et d'une signalisation systématiquement bilingues. Une telle solution permet d'éviter l'écueil sur lequel se sont heurtés tant de programmes de distribution. En outre, il ne serait plus nécessaire de changer les panneaux chaque fois que la population varie au-dessus ou en-dessous du chiffre magique de 10 p. 100 ou de toute autre démarcation quantitative !

Une telle décision administrative, évidemment, exige des institutions qu'elles reconnaissent l'existence, partout, d'une demande d'imprimés dans les deux langues et qu'elles se rendent compte de l'importance pratique et symbolique de la désignation des institutions fédérales dans les deux langues officielles, dans le pays, et dans ces deux langues au moins, à l'étranger. Il serait absurde de prétendre que toutes les institutions doivent présumer l'existence d'une telle demande — ce que stipule l'article 10 de la loi en ce qui concerne les bureaux situés à l'étranger et les institutions qui servent les voyageurs. Ce qui est suggéré ici, en fonction de l'expérience accumulée au cours de trois années d'apprentissage, c'est qu'il est infiniment plus commode d'avoir à portée de main, dans les deux langues officielles, les publications, formules et autres imprimés destinés à la population, de façon à pouvoir les distribuer immédiatement dans l'une ou l'autre langue. Quant à la signalisation, elle transmet en général des renseignements importants au public (les voyageurs compris) et elle contribue énormément à promouvoir l'image d'une institution bilingue : elle annonce et « offre » indirectement des services bilingues, ce qui peut inciter une demande latente à s'actualiser.

Dans ce domaine, on oppose fréquemment aux recommandations et aux suggestions du Commissaire deux catégories d'arguments : les

sons d'opportunité administrative pour ne pas appliquer complètement les dispositions de la loi, ou à tout le moins pour ne pas respecter cor-

rectement l'esprit de celle-ci, ni l'intention du législateur.

Cet état d'esprit s'est parfois manifesté dans le lien erroné qu'ont établi certains administrateurs entre le pourcentage relatif d'anglophones et de francophones résidant à proximité immédiate d'un bureau donné et la répartition entre les postes bilingues et les postes non bilingues de ce même bureau. Ce qui, à première vue, semble tout à fait logique ne résiste toutefois pas à un examen plus approfondi : ces administrateurs se sont contentés d'établir une simple équivalence. En fait, rien ne saurait remplacer une analyse exhaustive des besoins d'un bureau donné pour en déterminer la composition linguistique nécessaire (sans perdre de vue la possibilité d'avoir des unilingues des deux langues). Dans certains cas, et suivant la nature du travail et le déploiement du personnel que ce dernier occasionne, l'effectif bilingue nécessaire, c'est-à-dire le nombre de postes qu'il faudrait doter dans la mesure du possible de titulaires bilingues, n'a aucun rapport avec la composition linguistique de la population servie.

Une variante de ce fétichisme numérique consiste à rechercher des indicateurs statistiques d'un potentiel de demande relativement faible tout en négligeant parfois des chiffres absolus considérables. Certains gestionnaires intrançaisants feront valoir qu'il est à la fois coûteux et inefficace de prévoir des services bilingues pour un petit pourcentage de la population (il s'agit presque toujours d'une minorité francophone) dans une région ou un district donné, et surtout quand la minorité est quelque peu dispersée. Certes, en tripotant la « carte linguistique », on peut trouver ce qu'on veut. Bien souvent, les chiffres utilisés intressent de très petites régions et les institutions ne tiennent pas compte du fait qu'un bureau régional donné, quels que soient son emplacement et la composition linguistique de la population locale, puisse fournir des services sur une région étendue, où un nombre important de gens parlent la langue officielle de la minorité. À force de négliger, pour de simples raisons d'opportunité administrative, les chiffres absolus élevés de « clients » potentiels, on prive un grand nombre d'individus des avantages linguistiques que confère la loi. Les institutions devraient mesurer la demande potentielle que représentent les zones de concentration du groupe de langue minoritaire dans une région donnée à une aune meilleure que celles des districts bilingues proposés ou des variations démographiques. La méthode de « géocodage » de Statistique Canada, qui permet d'obtenir des données rue par rue, pourrait constituer un outil fort précieux pour évaluer avec plus de précision la demande. Dans les zones urbaines, cette méthode permettrait aux administrateurs, et d'ailleurs aux entreprises privées aussi, d'obtenir des imprimés d'ordinateur qui pourraient indiquer si c'est l'anglais ou

Le Commissaire ne perd pas de vue ce que recouvre la notion de district bilingue, ni d'ailleurs le pourcentage limite — 10 p. 100 — de la population nécessaire à la constitution d'un tel district, et il n'oublie pas qu'il s'est toujours fait l'avocat d'une application réaliste et humaine de la loi; toutefois, les résultats des études spéciales montrent qu'un déviationnisme étrange semble s'être emparé, jusqu'à le paralyser, de l'esprit de nombreux administrateurs : la tendance d'invoquer des raisons mentales soient-elles.

Il est bien connu qu'on peut « faire mentir les chiffres » : ce cliché a l'avantage de souligner le danger qu'il y a à attacher trop d'importance aux données statistiques quand il s'agit d'assurer dans les deux langues officielles d'importants services à la population canadienne. Certains fonctionnaires semblent prêts à sortir leur règle à calculer, ou bien leur calculatrice de poche dernier cri, pour déterminer les variations démographiques avant de prendre des décisions administratives, aussi élémentaires soient-elles.

## 2) *Le fétichisme numérique*

En outre, un programme d'information pourrait aider les employés à affronter la difficile période de transition que leurs ministères traversent en s'efforçant de respecter les dispositions d'un texte législatif aussi important que la Loi sur les langues officielles. Des mesures efficaces d'information avec le support de films et de brochures, ou le recours à des débats, pourraient aider considérablement à se débarrasser de certaines questions agaçantes ainsi qu'à dissiper des doutes et des malaises légitimes. De simples lignes de conduite ne semblent pas suffire à couvrir les besoins — notamment psychologiques — des employés, et ce n'est pas à coup de « directives » qu'on pourra susciter l'enthousiasme et la bonne volonté.

Au fil des études, il est apparu évident que des programmes d'information bien conçus contribueraient énormément à la démythification de la loi et à l'explication du contenu et de la raison d'être des politiques gouvernementales et ministérielles. Ces initiatives en matière d'information auraient pour résultat d'encourager les employés à s'intéresser à la loi, de la leur mieux faire apprécier, de les faire participer à son application et de faire connaître les moyens disponibles pour respecter ses dispositions.

En fait, le Commissaire, dans ses recommandations, a souvent exhorté les institutions à lancer, ou bien à améliorer, des programmes complets d'information sur la Loi sur les langues officielles, le programme de bilinguisme du gouvernement et les plans de l'institution. Le bureau, en préconisant une mesure aussi élémentaire, visait à la création d'un climat plus favorable à l'application de la loi.

des larmes — qui ne sont pas de crocodile — à propos de plusieurs aspects de ce problème dans le chapitre premier.



intégrante de ses fonctions) la tâche de rassembler, d'analyser et d'ordonner les renseignements nécessaires pour fournir la base des appréciations du Commissaire, (appréciations qui figurent plus loin, dans le chapitre III).

L'expérience acquise en déterminant les résultats réels auxquels ont pu aboutir les institutions visées dans l'application des recommandations du Commissaire a permis à ce dernier de constater que certaines de ces institutions pourraient créer ou améliorer les systèmes de « contrôle » internes qui leur permettraient de mieux appliquer systématiquement ses recommandations et, partant, de soumettre des comptes rendus sur les mesures prises. Au pire, les mécanismes internes prévus se résument à un simple accusé de réception du rapport, qu'on se contente, par la suite, de faire circuler. Pour être plus précis, le personnel du bureau a parfois eu de la difficulté à « soutenir » des renseignements de certaines institutions. Cela est peut-être dû en partie à la relative nouveauté de ce genre de démarche; aussi reste-t-il à espérer qu'il sera plus facile, à l'avenir, de recevoir des comptes rendus qui feront le point en tenant compte des recommandations effectivement faites, même si, comme on le prétend parfois, on envisage des actions plus ambitieuses. Le Commissaire aimerait avant tout que les institutions, quand elles reçoivent son rapport, aient recours aux mécanismes de consultation mentionnés plus haut plutôt que de s'engager dans des polémiques lorsque son bureau entreprend le travail de suivi. Le Commissaire est persuadé qu'une fois ces problèmes réglés, le travail de suivi assuré par le Service des études spéciales et par l'ensemble de son personnel, ainsi que les tendances qui se dégagent de l'instruction des plaintes déposées, lui permettront de fournir au Parlement et à la population le genre d'évaluations régulières que ces derniers sont en droit d'attendre de lui.

#### b) *Un homme se penche sur son passé*

##### 1) *Que veut Ottawa ?*

Que des communications effectives fassent pratiquement défaut au moment même où l'on dispose d'une quantité impressionnante d'instruments et de moyens pour véhiculer l'information, voilà bien un des paradoxes de la société nord-américaine contemporaine.

Parmi les constatations les plus intéressantes tirées des études spéciales entreprises pendant l'année financière 1972-1973, il faut relever l'« incommunicabilité » qui semble exister, à propos des langues officielles, entre les administrations centrales et régionales (et même entre les divers services de l'administration centrale où, parfois, la main gauche ignore ce que fait la droite). Le Commissaire d'ailleurs verse

En fait, cette dernière année, le bureau a recouru encore plus fréquemment aux mécanismes « classiques » de suivi décrits dans le précédent rapport. Le Commissaire, à deux reprises (en automne 1972 et en février 1973), a invité les institutions à lui soumettre, avant la fin de mars, un rapport complet et détaillé sur l'état, à la fin de l'année financière, de chacune des recommandations qu'il avait formulées. Au printemps de 1973, le Commissaire, tenant compte du temps qui s'était écoulé depuis la promulgation de la loi et du nombre assez imposant d'enquêtes qui avaient été entreprises, décidait qu'il était opportun d'accorder, dans son troisième rapport annuel, plus d'importance que par le passé à l'appréciation des résultats obtenus par les institutions. En conséquence, il repoussait au 30 septembre la date limite pour l'envoi des comptes rendus et confiait à l'ensemble du personnel du Service des études spéciales (pour qui le travail de suivi fait partie

mise en application échoit. rappeler à leur bon souvenir quand, par exemple, le délai proposé de telle recommandation. Aux autres, le Commissaire ne manque pas de se le Commissaire au courant des progrès vers l'application de telle ou mettre en œuvre ses propositions. Certains prennent l'initiative de tenir autres chefs administratifs des comptes rendus des mesures prises pour graphique 2, de la loi, le Commissaire demande aux sous-ministres et En se fondant sur la prérogative que lui confère l'article 31, para-

recommandations. attributions, une attention spéciale aux aspects administratifs de ces nement au sein de la fonction publique, porte, dans les limites de ses incombe dans l'exécution du programme de bilinguisme du gouver- ganisme central de gestion et des responsabilités particulières qui lui trésor en soit saisi. Ce dernier, en raison de son rôle stratégique d'or a pris les dispositions nécessaires pour que le Secrétariat du Conseil du dations ni, d'ailleurs, celles qui résultent de l'instruction des plaintes, Le greffier du Conseil privé, sans perdre de vue ces recomman-

administratif de l'institution intéressée. tions qui en découlent au greffier du Conseil privé ainsi qu'au chef communiquer les résultats de ses études spéciales et les recommanda- matique. Conformément aux dispositions de la loi, le Commissaire comme à l'extérieur du bureau, pour assurer un travail de suivi systé- Dès le début, des mécanismes avaient été établis, à l'intérieur misme, sont impatientes d'être mis en présence de résultats tangibles. guistique en profondeur d'un œil sceptique, voire franchement pessi- tions. Les observateurs, notamment ceux qui voient une réforme lin- concrètes prises par les institutions pour faire suite aux recommanda- l'efficacité du bureau du Commissaire sont étroitement liés aux actions la crédibilité et l'autorité du Parlement lui-même, ainsi d'ailleurs que La crédibilité de la Loi sur les langues officielles, et par conséquent

Dès le départ, nonobstant ces discussions qui précèdent l'envoi des recommandations aux chefs administratifs des institutions, le bureau a jugé qu'il serait utile de tenir des consultations régulières et officieuses entre le personnel du Commissaire et celui des organismes intéressés. Ces derniers demandent parfois au bureau de leur expliquer certains points ou de leur conseiller la stratégie générale qu'ils pourraient adopter pour appliquer les recommandations du Commissaire; dans ces cas, les responsables aiment connaître les réactions des collaborateurs du Commissaire devant les projets de directives destinées à englober ou même à aller au delà des recommandations. Les discussions ont parfois trait à des suggestions d'ordre purement administratif que peuvent contenir les rapports du Commissaire. Certes, les membres de son bureau ne font pas office de conseillers en gestion et ils reconnaissent volontiers que le personnel d'un ministère connaît mieux son « boulot » qu'une personne de l'extérieur, mais ils n'en peuvent pas moins proposer souvent des méthodes spécifiques qu'ils ont pu observer au gré de leurs rapports avec d'autres institutions. C'est pourquoi ils peuvent partager les fruits de l'expérience qu'ils ont accumulée, faisant ainsi office d'une sorte de « chambre de compensation » propre à favoriser la circulation des idées permettant d'atteindre certains objectifs de la Loi sur les langues officielles.

Au cours de ces consultations, les agents d'études spéciales s'efforcent d'être de bons pragmatistes : ils sont aussi souples que possible quant aux moyens précis à prendre en vue d'une action administrative mais ils restent fermes, sinon inébranlables, lorsqu'il s'agit des principes fondamentaux relatifs à l'égalité de statut des deux langues officielles. Cette souplesse s'inspire du fait que les recommandations du Commissaire ne sont pas gravées dans le marbre.

Le travail de consultation assuré par les membres du bureau du Commissaire a été des plus féconds, notamment quand les institutions visitées avaient souhaité auparavant recevoir l'aide du Service des études spéciales. Aussi le Commissaire pense-t-il qu'il est opportun d'inviter ses interlocuteurs à profiter davantage de ce service. Son expérience lui indique que ces consultations n'ont pas été suffisamment utilisées et, joignant le geste . . . aux paroles qu'il a prononcées à propos de l'information, il veut qu'on sache que les membres de son bureau sont toujours prêts à fournir ce service quoi qu'il leur en coûte en temps, en industrie et en vertus diplomatiques. Certaines institutions semblent attendre le travail de suivi pour entreprendre les premières consultations; c'est là un attentisme qui paraît à la fois superflu et improductif.

Le travail de suivi a émergé comme l'une des activités les plus importantes du Service des études spéciales pendant la période observée dans le présent rapport.



c) exercer des contrôles (travail de suivi), notamment en allant au besoin sur les lieux mêmes, pour vérifier les mesures prises par les institutions afin de traduire ces recommandations dans les faits.

Les critères qui déterminent le choix de l'institution à étudier sont restés, pour l'essentiel, ceux des deux premiers rapports annuels, à savoir :

- a) l'ampleur des relations de l'institution avec le public;
- b) l'ampleur des services fournis par l'institution aux voyageurs (critère découlant de l'article 10 de la loi);
- c) la répartition géographique des bureaux de l'institution, un intérêt particulier étant porté à la région de la capitale nationale (article 9);
- d) l'importance symbolique de l'institution;
- e) l'importance « stratégique » des activités de l'institution (exerce-t-elle ou non, par exemple, une influence profonde dans des secteurs clés ?);
- f) le nombre et les conséquences des plaintes reçues au bureau.

Le Service a décidé, cette année, d'inscrire son activité dans une perspective plus large que par le passé. Plus exactement, il a fixé, pour les études spéciales, un ordre de priorité à long terme, tout en se gardant la souplesse nécessaire pour les imprévus. Le Service suit les étapes « techniques » classiques : planification (y compris la préparation de guides et de questionnaires pour les entrevues); rassemblement des données obtenues par interview ou par un travail documentaire; examen des grandes orientations et vérification de renseignements statistiques et autres; analyse et synthèse des constatations; rédaction d'un rapport et formulation de recommandations provisoires à l'intention du Commissaire.

Il est essentiel de consulter les responsables des institutions au sujet des projets de recommandations si l'on veut pratiquer une médecine préventive vraiment efficace. Après la rédaction de son rapport et la formulation d'un train de recommandations provisoires, l'équipe de l'étude discute de l'applicabilité de celles-ci avec la haute direction de l'institution (le sous-ministre ou le sous-ministre adjoint participent parfois à ces discussions). Cette méthode a l'avantage de rendre les recommandations aussi réalistes que possible quant aux moyens concrets d'action et aux dates d'application possibles. Elle permet également aux responsables des ministères de mieux percevoir les conséquences juridiques et administratives des recommandations proposées et évite que l'« establishment » d'une institution soit totalement pris au dépourvu par les recommandations finales du Commissaire.

Comment le Service des études spéciales s'acquitte-t-il de sa tâche ? Tout d'abord, il lui incombe de scruter en permanence toutes les institutions, comme le suppose la fonction de vérificateur linguistique du Commissaire. Ainsi, il entreprend, à diverses reprises, l'étude d'une même institution, afin de permettre au Commissaire de fournir au Parlement un rapport sur l'état où cette institution en est, à un moment donné, dans les efforts qu'elle déploie pour se conformer aux dispositions de la loi. Certes, pareille tentative de prophylaxie porte en soi ses limites : en effet, le Commissaire ne saurait garantir la suppression de tout risque de carence ultérieure, ni immuniser une institution qui a fait l'objet d'une étude spéciale contre l'instruction d'éventuelles plaintes.

#### a) *La prévention à l'œuvre*

Tel est donc le cadre dans lequel se déroulent les études spéciales ; Bien qu'elles observent les règles fondamentales des méthodes de recherche, il ne s'agit pas tant d'incursions théoriques que de revues systématiques et globales, de portée concrète. Leur trait dominant, c'est l'analyse approfondie des méthodes mises au point et employées par les administrations (établissement des principes et des techniques d'exécution et d'auto-contrôle) pour mettre en œuvre les dispositions de la loi et pour accélérer le rythme de la réforme, en faisant largement appel à des ressources humaines et financières, et ce tant au siège de ces administrations que dans leurs bureaux régionaux et, le cas échéant, dans leurs antennes locales. A vrai dire, ce déplacement de la périphérie (la première année, en effet, le bureau s'était attaché à l'observation empirique, sur le terrain, de situations concrètes) vers le centre n'a pas eu pour conséquence de diverter le personnel du Service des modalités concrètes d'application de la loi, à savoir des services consultatifs ou personnalisés à fournir au public, et même de questions terre à terre comme celles des formules et des panneaux.

Le lecteur souhaite savoir comment le Service des études spéciales s'y prend pour accomplir sa mission. Celle-ci, en fait, comprend trois fonctions, à remplir simultanément dans les meilleures conditions d'efficacité, de souplesse et de doigté :

- a) exécuter les études destinées à étayer les rapports et les recommandations ultérieurs du Commissaire aux chefs administratifs des institutions ;
- b) consulter les représentants de ces institutions au sujet de l'application des recommandations du Commissaire ;

QUÉBEC

(traduction)

« Avec des amis comme vous, la minorité anglophone du Québec peut fort bien se passer d'ennemis. »

QUÉBEC — « Dans sa folie, son esprit était perpétuellement traversé d'éclairs de lucidité. »

Cervantes, *Don Quichotte*.

(traduction)

« Peut-être ne vous en êtes-vous pas bien rendu compte, mais 95 p. 100 des Canadiens voient en vous le bouffon officiel, quand vous cherchez à interpréter ce qui, évident pour tous, reste encore abstrus pour quelques-uns... »

(Note du rédacteur : On ne peut pas toujours berner tout le

monde.)

(traduction)

« Le reste est silence. »  
Shakespeare, *Hamlet*.

B. Pourquoi ? Comment ? le renard et le corbeau

Ceux des lecteurs que le premier et le second rapport annuel n'ont pas totalement mis hors de combat voudront bien excuser ce réexamen des méthodes, réexamen auquel ils trouveront certainement un goût de réchauffé; le Commissaire doit néanmoins aux nouveaux lecteurs quelques explications. D'ailleurs, même les observateurs les plus aguerris des « opérations » de son bureau s'intéresseront peut-être à la façon dont celui-ci a mis à l'épreuve ces méthodes au cours de la période qui fait l'objet du présent rapport.

Le Service des études spéciales, outil principal utilisé par le Commissaire pour exercer le droit d'initiative que lui reconnaît l'article 25 de la loi, lui a permis de continuer de s'acquitter de ses deux fonctions de « vérificateur en matière linguistique » et de praticien soucieux de médecine préventive. Le Service des plaintes, de son côté, joue le rôle d'ombudsman, ou médiateur linguistique. À ce double titre, le Commissaire a pour mandat de documenter le Parlement sur la manière et la diligence dont les quelque 180 institutions fédérales, y compris le Parlement lui-même et les sociétés de la Couronne, mettent en œuvre les dispositions de la Loi sur les langues officielles. Le Commissaire, par le biais de mesures prophylactiques et de sa médiation, cherche à aider de son mieux les citoyens, ainsi d'ailleurs que les institutions, mais en se gardant de toute confusion entre son rôle d'investigateur délégué par le Parlement et la charge qui incombe à l'exécutif de faire appliquer la loi.



veut pas en entendre parler chez lui, où il veut une seule et unique langue officielle. Je vous laisse à penser laquelle... Oubliez-vous que la proportion de francophones, déjà tombée à 27 p. 100, va sans cesse s'amenuisant ! Ne croyez-vous pas épouser là une cause déjà moribonde ? Vous feriez mieux de démissionner tant qu'il vous reste quelques amis... Et puisque je me fais le porte-parole de millions de gens qui, pour une raison ou pour une autre, ne peuvent faire entendre leur voix sur ce problème national, si ce n'est pas les urnes... qu'il me soit permis de vous le répéter : cessez votre ingrate besogne et retirez-vous avant de perdre le peu d'amis qui vous restent ! »

## ONTARIO

(traduction)

« ... Je brûle de vous poser la question depuis un certain temps : pourquoi vous, Canadien anglais (à ce qu'il paraît), vous faites-vous un devoir de livrer de l'autre bord vos frères de langue ? ... Et votre énergie serait mieux employée à corriger quelques-unes des injustices de l'administration fédérale qu'à trahir ainsi vos ancêtres. Mais peut-être y trouvez-vous votre compte ? Tout ce que je souhaite, c'est qu'on vous ramasse à la petite cuiller après l'émission de dimanche. »

ONTARIO — « Tant qu'il y a de la vie, il y a des doutes. »

John MacNaughton, *Essays*.

(traduction)

« Vous menez un combat perdu d'avance qui ne peut que desservir sa propre cause. Et pour commencer, cette loi a été créée illégalement par ceux qui nous l'ont imposée. »

ONTARIO — « Tout homme a son prix. »

(traduction)

« ... Quoi qu'il en soit, mon petit Keith, ne t'arrête pas en si bon chemin, continue de nous matraquer, peut-être bien qu'en récompense, Pierre vous créera, John Carson et toi, baronnets (oh, pardon, j'oubliais, c'est anglais), ou sénateurs, ou membres de la Société Saint-Jean Baptiste. Je te l'ai déjà dit, c'est de toute façon autrement plus lucratif que l'immobilier ! »

ALBERTA

(traduction)

« ... Enfin, merci encore une fois d'avoir reconnu que tous ces efforts déployés à nous faire avaler de force tout ce français, c'est seulement pour les beaux yeux de la ' belle ' province ! »

... Si les anglophones nous détestent tant, pourquoi persistent-ils à nous garder dans la Confédération ? Après l'indépendance, ils ne nous auront plus comme victimes. Que leur restera-t-il pour se distraire ? . . . »

## QUÉBEC

« . . . bon courage dans vos luttes qui seront probablement dures et longues. »

## ONTARIO

« . . . et je réalise que vous avez de nombreux problèmes auxquels vous devez faire face . . . Continuez le bon combat ! » [en anglais dans le texte].

## QUÉBEC

« . . . Vous ne le répéterez pas assez souvent, car l'écorce est dure à percer et les oreilles entendent difficilement lorsqu'il s'agit de modifier de vieilles habitudes personnelles. Mais, il ne faut pas désespérer. Saint-Jean-Baptiste n'a-t-il pas crié durant 40 jours dans le désert ! . . . »

## QUÉBEC

« . . . Je suis très ouvert aux langues et j'estime que c'est une richesse pour un peuple de posséder deux langues et jouir de la richesse de deux cultures. Je souhaite voir le jour où on aura compris que le fait d'être polyglotte est un avantage précieux, parce que, ce jour-là, peut-être, l'entente et la fraternité entre les peuples auront franchi un grand pas. Je vous encourage donc à continuer exactement dans la même ligne de pensée, à conserver la même attitude, à persévérer dans vos actes, en vous disant qu'il y en a d'autres qui vous appuient . . . »

## c) Des épinges

ONTARIO — « Fere libenter homines id quod volunt credunt — Les hommes croient ce qu'ils désirent. »

Jules César, *De Bello Gallico*.

(traduction)

« Attendu que je contribue un tant soit peu à votre salaire, je crois être en droit de vous dire ce que je pense de vos fonctions et de votre besogne. . . Eussiez-vous, depuis votre nomination, parlé avec des fonctionnaires anglophones d'un océan à l'autre que vous seriez peut-être moins chagrin : on leur a tant fait ingurgiter de français que le mot même les écoeure. Des districts bilingues ailleurs qu'au Québec ? Quelle sacrée rigolade ! Et la meilleure de toutes, c'est que le Québec, justement, ne

QUÉBEC — « Depuis trois générations, les gens de ma famille font leurs études à Oxford . . . » [Conscience d'une passante à la télévision]

(traduction) « Qui plus est, j'estime que votre remarque témoigne du même esprit caricaturalement étroit que vous stigmatisiez avec tant d'emportement dans vos interventions publiques . . . »

## ONTARIO

(traduction) « *Rhodétiens de Westminster*. De grâce, n'insultez pas les Rhodétiens (dont vous savez peut-être si peu) en les comparant à vos compatriotes montréalais aussi pansus . . . que moroses . . . »

## b) Des roses

## QUÉBEC

(traduction) « Je voudrais vous remercier des efforts que vous faites pour instaurer le bilinguisme et ouvrir la voie à l'unité . . . et j'espère, pour le bien de nos petits-enfants, que vous continuerez dans cette voie . . . »

## QUÉBEC

(traduction) « . . . Je vous ai déjà dit tout le bien que je pense du beau travail que vous accomplissez en votre qualité de Commissaire aux langues officielles . . . Je vous souhaite de continuer à cuevrer avec succès dans cette mission capitale . . . »

## NOUVELLE-ÉCOSSE

(traduction)

« Ah ! si seulement tous les Canadiens avaient pu être devant leur poste de télévision lorsque vous êtes passé à l'émission *Encounter*, aujourd'hui, l'unité nationale eût fait un grand pas. Continuez sans relâche à sensibiliser l'opinion. »

QUÉBEC — « Quiconque vainc par la force ne conquiert qu'à moitié. » François-Xavier Garneau — v. 1826

« . . . (Je) vous adresse cette lettre pour vous féliciter de votre impartialité envers l'unité du Canada, d'un océan à l'autre. Je sais que votre tâche est ingrate et pénible. Malgré tous vos efforts, je déplore que vous n'obteniez pas tout le succès que vous méritez. Vous le savez que la mauvaise volonté ne vient pas des Québécois; nous avons été patients et résignés durant ' 105 ' ans !



M. Spicer, que la vérité fait souvent mal. Notre Confédération n'a pas grand sens si nous ne sommes pas prêts, nous les Canadiens de langue anglaise, libéraux ou conservateurs à consentir en toute bonne foi les efforts nécessaires; et au lieu de traîner des pieds quand il s'agit d'ap-prendre le français et de sauvegarder cette culture unique en son genre qui est la marque du Québec, nos compatriotes de Westmount devraient être à l'avant-garde, pour qu'à l'avenir, le Canada tout entier puisse récolter à profusion les fruits abondants ainsi préservés . . . »

QUÉBEC

(traduction)

« . . . Ici, à Westmount, nombreux sont les Français. Notre maître est français. Nos services publics sont parfaitement bilingues. Nous envoyons nos enfants dans des classes d'immersion françaises et les nouveaux venus comme moi suivent des cours du soir de conversation française. Si le reste du Canada vous dégoût, pourquoi vous en prendre à Westmount ? . . . »

QUÉBEC

(traduction)

« . . . Vous me direz peut-être que mon sens de l'humour est limité, mais avec la meilleure volonté du monde, je ne vois vraiment rien d'« affectueux » dans le qualificatif de rhodésien . . . »

QUÉBEC — « De toute façon, en fait de parti, le Commissaire ne

souscrit qu'aux parties fines . . . »

(traduction)

« . . . Croyez-vous que ça arrange les choses qu'un élu, un représentant du peuple, une personnalité ayant rang de ministre, nous tourne en ridicule dans une capitale étrangère, ainsi que vous l'avez fait . . . Merci beaucoup . . . Quant à moi, on ne m'y reprendra plus à voter « libéral » et je rejoins de ce pas les rangs de ceux qui militent pour la chute de votre parti . . . »

ONTARIO

(traduction)

« Et j'ajoute, moi, que non seulement vous êtes tenu par la loi et le sens moral de protéger en l'occurrence les droits de l'anglais, mais qu'il vous incombe aussi de veiller, par vos bons offices, à ce que l'anglais conserve, en fait comme en droit, son statut de langue officielle dans les rapports des Québécois avec leur gouvernement siégeant à Québec. »

convaincus par les précisions qu'il s'empressa de fournir sur les connotations « affectueuses » de l'expression.

Certains surent bien interpréter la formule, qui inspira même un poème à l'un des correspondants. D'autres écrivirent au Commissaire pour l'encenser . . . ou l'enterrer.

## ONTARIO

(traduction)

« Toutes mes félicitations pour le camouflet que vous avez infligé à ces ' faces de fats ', l'autre jour, à Washington. Que j'aurais aimé y être et pouvoir vous applaudir . . . Encore une fois, sincères félicitations pour cette grande baffe . . . »

« Lâchez pas ! Vous tenez le bon . . . manche ! »

## ONTARIO

(Adaptation libre)

« . . . Après nos empêchements de danser en rond  
Et nos fonctionnaires loirs et cochons  
Voilà maintenant que les média s'en mêlent  
Pour nous accuser de recel  
De blancs comme ceux de Rhodésie  
Mais si Spicer nous le révèle  
Ce n'est que pour mieux nous donner envie  
De boire à la coupe si belle  
De l'amitié franglophone  
Et des loirs cochons enkikineurs  
Et cela fait tout un cocktail qui détonne  
Dans tous nos asiles d'Eliseneur ! »

QUÉBEC — « C'est étrange, mais ce sont toujours les gens intelligents  
qui me donnent raison. »

Robert C. (Bob) Edwards, dans le *Calgary Eye Opener*  
du 5 octobre 1912.

(traduction)

« . . . Je me félicite (et votre intervention de samedi dernier n'a fait que renforcer ce sentiment) de savoir un homme aussi talentueux et obstinément dévoué que vous investi d'une tâche aussi éprouvante que terriblement importante. Puisse cette lettre vous rappeler que vous n'êtes pas seul sur la brèche . . . Il faut l'encourager ! [en français dans le texte]. Votre cause est juste, poursuivez le combat . . . seule une poignée de ceux qui vous ont entendu peuvent s'être mépris sur le sens de votre formule et l'avoir trouvée choquante ou injurieuse . . . N'oublions pas, même si d'aucuns ont pu, à travers le miroir déformant de la presse, juger choquants, irrévérencieux ou injurieux les propos tenus par

ALBERTA — « Si Jésus-Christ se contentait de l'anglais, pourquoi pas moi ? »

Légende tirée de l'époque héroïque de la Commission  
B & B.

(traduction)

« . . . Un Canada en proie à la division, et ce en majeure partie à cause de la Loi sur les langues officielles, dont on peut dire qu'elle aura été un faux pas coûteux et inutile, fruit d'une politique de parti. Il faut abroger cette loi . . . Le bilinguisme a fait monter le prix de tous les produits fabriqués et emballés au Canada et, par là, contribué à l'inflation. Loin de servir la cause de l'unité, il ne fera qu'envenimer la situation au Canada, comme en Irlande, comme en Belgique où, dernièrement, il a provoqué la chute du gouvernement . . . J'ose espérer que les députés francophones sauront faire abstraction de toute émotivité de mauvais aloi en ce qui touche à leur langue et faire entendre la voix de la raison à leurs électeurs.

Pour ma part, j'estime que la Loi sur les langues officielles est discriminatoire et préjudiciable aux ruraux du Québec, lesquels en leur qualité de citoyens canadiens, méritent de se voir accorder toutes les chances de prendre leur place légitime dans les échelons supérieurs du monde des affaires. Sans l'anglais, le campagnard québécois (ainsi, du reste, que n'importe lequel de ses concitoyens) ne peut déboucher sur rien — si ce n'est, peut-être, dans l'administration fédérale . . . »

## 6. *Roses et Epines (précédées de quelques considérations sur la faune et la flore africaines)*

Dans ces morceaux choisis, les correspondants effleurent ou égratignent le Commissaire dans sa personne et ses fonctions.

a) *Les Rhodésiens de Westmount* — « Il a mis le pied en plein dedans. »

T. C. Halliburton, Sam Slick.

Les Rhodésiens de Westmount. Cette épithète appliquée par le Commissaire à la population (en majorité anglophone) de cette commune montréalaise a défrayé un court moment la chronique épistolaire et journalistique. Il l'avait utilisée (sans cependant pouvoir en revendiquer la paternité) au cours d'un débat organisé par l'*Association for Canadian Studies in the United States*, au printemps 1973. Peu accoutumé à prendre la parole devant d'aussi doctes assemblées, le Commissaire s'était montré un tantinet intempesitif, et à son retour, les passions se déchaînèrent; il fut même brièvement question de destitution. Bon nombre de gens (du moins quelques-uns) ne furent pas



Voici des opinions opposées concernant l'utilisation de plusieurs langues dans le monde des affaires. Un correspondant ontarien, très certainement animé du désir de diversifier les exportations canadiennes, pense que l'espagnol serait à cet égard beaucoup plus utile que le français.

ONTARIO — « Bilinguisme et 'business' vont de pair. »

(traduction)

« . . . Il a fallu que je lise cet article pour me rendre compte de la tâche immense que vous et votre équipe avez entreprise.

Quand votre ambition et vos efforts se seront matérialisés, le Canada jouira alors d'une renommée sans précédent dans le domaine culturel et la satisfaction que cette certitude peut vous procurer contribuera certainement à vous armer de patience. Plus le volume de nos exportations augmentera et plus les Canadiens prendront goût aux voyages à l'étranger, plus vos efforts seront couronnés de succès par le bilinguisme et l'enrichissement qui en découle pour chacun.

A mon avis, la réussite du programme de bilinguisme dépend en grande partie de son acceptation par les milieux commerciaux et industriels et aussi de l'enseignement pratique du français à ceux qui en ont besoin comme à ceux qui le désirent, au sein des grandes entreprises . . . Nous nous accordons certainement à penser qu'un avenir brillant, plein de promesses, s'offre au Canada s'il reste un et indivisible. Aussi appartient-il à chaque Canadien de préserver ces aspects de notre jeune mais riche patrimoine, dont la culture française n'est pas le moindre fleuron . . . »

ONTARIO — « Il arrive un moment dans la vie de l'homme, où celui-ci doit prendre le taureau par la queue et regarder les choses en face. »

(traduction)

« Votre position en matière de bilinguisme m'étonne et m'irrite depuis longtemps . . . La maîtrise d'une deuxième langue est certes un atout, mais alors vous ne permettez de penser que c'est sur l'espagnol que nous devons faire porter nos efforts en ce sens, car cette langue commerciale serait fort utile au Canada, pays exportateur, pour pénétrer le marché en pleine expansion de l'Amérique du Sud. A quoi bon en effet cultiver un patois français qui, déjà d'utilité douteuse en ce pays, l'est encore moins dans une France qui reconnaît à peine notre 'français' et qui est solidement claquemurée dans la Communauté économique européenne . . . »

QUÉBEC — « Il n'est pas de sentiment vrai sans critique ni pensée honnête »

John McNaughton, *Essays*.

(traduction)

« . . . Vous éprouvez de la sympathie pour les Français et vous souhaitez étendre l'utilisation de leur langue parce que leur culture est menacée. Fort bien, mais, en Amérique, la culture juive, elle aussi, est menacée. Pour la sauver, êtes-vous prêt à vous convertir au judaïsme ? . . . »

ALBERTA

(traduction)

« . . . Notre province abonde en nationalités : des Allemands, des Italiens, des Grecs, des Yougoslaves, des Polonais, qui sont naturalisés Canadiens et fiers de l'être, et qui ont tout autant de droits que les Français de voir leur langue utilisée et affichée. »

ÉTATS-UNIS

(traduction)

« . . . Si les Français du Québec et les autres Français au Canada veulent la justice pour tous, alors rien de plus normal que de laisser les Indiens et toutes les autres ethnies du Canada faire usage et étalage de leur propre langue à l'instar des Français . . . »

MANITOBA — « Pourriez-vous nous réexpliquer le fonctionnement du masque à oxygène ? Nous n'allons pas tarder à atterrir. »

(traduction)

« . . . Qu'advient-il alors des autres groupes ethniques ? Leur langue est aussi importante pour eux que le français pour les Canadiens français. Donc en bonne justice, elle devrait apparaître sur les emballages, être utilisée pour les annonces dans les aéroports et les avions et pour la signalisation dans nos parcs nationaux . . . »

QUÉBEC — « Il n'y a pas de place dans ce pays pour les Américains à trait-d'union ! »

Extrait d'un discours de Théodore Roosevelt, prononcé à New-York le 12 octobre 1915.

(traduction)

« Ceux à qui le gouvernement canadien confie en fait la tâche d'appliquer ce programme de telle façon qu'on ne puisse douter un seul instant que n'importe quel Canadien, nonobstant son origine, est bien un Canadien et non un hybride hybride . . . »

Les pays européens organisent des échanges massifs de jeunes alors qu'au Canada, nous en sommes toujours aux balbutiements dans ce domaine . . . »

#### 4. Langues « tierces »

Les défenseurs des langues « tierces » ne s'opposent pas en général à la Loi sur les langues officielles mais estiment que d'autres langues que le français et l'anglais devraient se voir accorder un statut officiel. L'un d'eux s'inquiète d'une conspiration tramée par des « gâtoman-ciens, » tandis qu'un autre craint de voir les Canadiens transformés en une espèce bizarre tenant de l'hydre. La plupart des correspondants semblent pourtant fonder leur conception de la justice sur des études plus réfléchies du recensement par langue maternelle.

#### ONTARIO

(traduction)

« L'équité linguistique ? Mais qu'est-ce que ça veut dire ? En quoi cela consiste-t-il dans un pays où l'on parle un si grand nombre de langues et qui de ce fait devrait avoir un statut multilingue et non bilingue ? Comment ce gouvernement peut-il espérer réaliser l'unité nationale en honorant une langue seconde au détriment de toutes les autres ? On semble vouloir tout faire pour que les Canadiens d'origine française se sentent chez eux dans la capitale ou au sein de la fonction publique, mais on se désintéresse des Canadiens d'autres origines ethniques. C'est ça, l'équité linguistique ? »

ONTARIO — « Le Chow Mein avait certainement meilleur goût . . . »

(traduction)

« . . . Les petits billets glissés à l'intérieur des gâteaux-horoscopes que l'on nous a servis dans un restaurant chinois du Québec étaient rédigés en français et en anglais. C'en est trop ! A-t-on pensé aux Chinois qui travaillaient dans ce restaurant ? Eux aussi ont leur langue. Voilà de la discrimination ! »

#### MANITOBA

(traduction)

« . . . Notre pays serait bien plus heureux si nous avions une seule langue officielle. Certes, il est tout simplement merveilleux d'être polyglotte, mais pourquoi le français, et pas l'italien ou n'importe quelle autre de nos nombreuses langues . . . »



« . . . Mes collègues aimeraient que je me fasse leur interprète pour dire la déception qu'ils ont ressentie en ne trouvant, semble-t-il, nulle part mention des efforts réels déployés par les professeurs ces dernières années afin de moderniser les méthodes et le matériel pédagogique et de les rendre à la fois plus intéressants et plus fonctionnels . . . Il faut également souligner la lutte héroïque que leur groupe mène très souvent contre l'indifférence de la collectivité et de certains conseils scolaires . . . Enfin, et ce sera ma conclusion, je conteste le bien-fondé de votre affirmation voulant que la situation soit meilleure en Europe. Nous savons tous que la raison pour laquelle les enfants européens apprennent beaucoup plus facilement une seconde langue tient plus aux méthodes et aux systèmes scolaires différents, qu'au climat social et intellectuel dans lequel ils vivent . . . Cela fait des années déjà que

(traduction)

la jeunesse. »

ONTARIO — « Les voyages, à l'ouest comme à l'est, voilà qui forme

c) *Autres idées*

« . . . Si vous êtes tellement pressé de faire ingurgiter le français à des gosses de cinq ou six ans dont ce n'est pas la langue maternelle, vous feriez bien de commencer par faire ingurgiter l'anglais à tous les français au Canada. N'est-ce pas là une question de simple justice ? . . . Mais vous et vos semblables, qui vous moquez éperdument des enfants, êtes prêts à imposer à ces petits innocents une tâche quasi impossible . . . »

(traduction)

COLOMBIE-BRITANNIQUE — « Ils ont changé ma chanson ! »

b) *Le contre*

(Alléluia! . . . ) »

« . . . Le bilinguisme permettra de développer l'intelligence de la génération actuelle de Canadiens et de toutes celles à venir. Julian Huxley a montré qu'une amélioration minime du quotient intellectuel d'une société peut à elle seule s'avérer matériellement très bénéfique pour cette société. Aussi, la nature même du fédéralisme canadien et donc la politique de bilinguisme et de multiculturelisme offrent-elles là un instrument, méconnu et pourtant inestimable, qui élèverait le quotient intellectuel du Canadien moyen, et par là-même, accroîtrait notre bien-être spirituel et matériel, tout en préservant l'unité canadienne.

(traduction)

ONTARIO — « Si chaque jour de la vie scolaire on était à la veille des vacances, qui trouverait alors à redire aux années d'étude ? »

Stephen B. Leacock, *College Days*.

(traduction)

« ... J'ai été surtout impressionné par votre dénonciation de la faillite des provinces dans l'enseignement du français. Je suis on ne peut plus d'accord avec vous. Il est affligeant de constater à quel point les Canadiens ont, en la matière, manqué d'initiative et d'imagination... »

ONTARIO ET QUÉBEC — « Vous avez la parole »

(traduction)

« ... En tant que citoyen canadien directement intéressé par le problème, je crois très fermement que l'on pourrait atteindre, à bien moindres frais, le stade ultime de la ' bilinguïté ' pour tous, tout simplement en assurant dans les écoles primaires et secondaires du pays, dès 1975 pour les classes maternelles, un enseignement bilingue complet et approprié, à l'aide de manuels bilingues de première qualité et identiques pour toutes les écoles... »

QUÉBEC

« Au départ, si dans toutes les écoles au Canada on enseignait les deux langues officielles de pair, que de paroles inutiles et de pagaille on aurait évité !

Pourquoi ne pas insérer la langue seconde au programme partout ? La valeur de chaque Canadien en sera du coup doublé et cela sans effort aucun... »

COLOMBIE-BRITANNIQUE

(traduction)

« ... Il est certain qu'au Canada les enfants devraient apprendre le français du Québec... Je pense que les problèmes de bilinguïsme auxquels ils auront à faire face... viennent tous des parents. Je me souviens de débats passionnés sur le bilinguïsme mettant aux prises les parents (dans le Nord du Québec) pendant que les enfants bavardaient indifféremment dans l'une ou l'autre langue. »

Parfois même, les tout petits n'ont absolument pas conscience d'être bilingues... »

ANGLAIS — « Que la modeste réserve le Commissaire et ses collègues bilingues de croire un traître mot de tout ceci... »

La majorité des correspondants qui traitent de l'éducation se déclarent en faveur de l'enseignement du français. Nombre d'entre eux ne sont pas restés impassibles devant la déclaration du Commissaire, qui affirmait dans son deuxième rapport annuel au Parlement que ' l'enseignement de la seconde langue officielle dans notre fédération . . . demeure une catastrophe nationale . . . ' La plupart des lettres, sinon toutes, étaient consacrées à l'enseignement du français dans les écoles anglaises et elles tendaient ou bien à assombrir encore la vision apocalyptique du Commissaire ou bien à soustraire tel district ou telle école de la vaste zone sinistrée.

### 3. Education

Moyens: Diffuser un enseignement de masse à partir de centres de communications publiques disséminées dans les villes, les villages et les campagnes de tout le pays. Ces centres serviraient de lieux de rassemblement pour la population francophone locale qu'ils aideraient à conserver et à cultiver son patrimoine culturel dans ses manifestations contemporaines; ils seraient également au cœur des activités des clubs de français d'étudiants, des classes de langue pour adultes, de groupes d'étude (par exemple des anciennes étudiantes d'université) intéressés par la culture française : littérature, théâtre, cinéma, chansons . . . »

« But : Faire du bilinguisme un objectif à la fois national et personnel des Canadiens et un catalyseur dans la formation d'une identité nationale dynamique et bipolaire, française et anglaise.

(traduction)

### ONTARIO

« . . . Je pense très sérieusement que l'on constatera un vaste renouveau d'intérêt pour la langue française une fois que les sommes consacrées à l'étude de cette langue seront exonérées d'impôts . . . »

(traduction)

ALBERTA — « Et pour ceux que le sexe laisse désormais froid . . . »

queur. »

Cette nouvelle méthode coûtera en fait moins cher au gouvernement que le système d'enseignement en vi-

Coût :

mettre aux fonctionnaires d'aller vivre en milieu franco-phonie aux frais du gouvernement pour y acquérir une connaissance suffisante du français à un coût n'excédant pas celui des cours de langue dispensés actuellement.



qu'on ne touche pas au système du mérite en vigueur dans la fonction publique . . . On a voulu aller trop vite . . . La carrière des fonctionnaires unilingues qui ont consacré tant d'années de leur vie au service de leur pays ne doit absolument pas en souffrir . . . »

COLOMBIE-BRITANNIQUE — « Seul l'effort rend fort; de même que la tempête forme le marin, de même ce sont les vicissitudes et les combats de la vie qui forgent sagesse, dignité et confort. »

Joseph Howe, dans un discours prononcé à Ottawa devant le YMCA, le 27 février 1872.

(traduction)

« J'ai tenté à plusieurs reprises au cours des années passées d'ap-prendre le français, mais en vain. Il m'est difficile entre autres de m'organiser à la maison et de trouver chaque jour le temps d'étudier une leçon.

N'ayant pas les moyens de m'acheter des disques ou de m'inscrire à une école de langues, je ne suis jamais sûr de ma prononciation et cela me décourage; voilà comment, dans la cinquantaine, je ne parle toujours qu'une seule langue . . . Pourriez-vous me dire pourquoi on n'a pas donné à tous les contribuables la possibilité d'apprendre le français ? Je sais que des cours de langue sont organisés, avec profit, pour les fonctionnaires du gouvernement; mais pourquoi deux poids, deux mesures ? Ne serait-il pas possible d'en faire bénéficier tous les citoyens loyaux ? »

ONTARIO — « Peut-être cet homme connaît-il la réponse. »

(traduction)

« OBJET : Une nouvelle méthode d'enseignement du français aux fonctionnaires

PROPOSITION : Permettre aux fonctionnaires de vivre en milieu franco-phone pendant une période donnée afin qu'ils puissent bien se familiariser avec la langue.

REMARQUES : Cette nouvelle méthode d'enseignement du français repose sur la croyance générale que la meilleure façon d'apprendre une langue, c'est d'avoir une maîtresse ou un amant qui ne parle que cette langue. Il a été prouvé par analyse que cette croyance est valable d'un point de vue économique, et le nouveau projet vise donc à per-

Il n'est pas un de nos critiques qui s'élève avec véhémence contre l'enseignement de la langue seconde au sein de la fonction publique. D'aucuns s'inquiètent toujours des difficultés qu'il peut y avoir à apprendre une seconde langue tout en travaillant, ou à en commencer l'étude à un « âge avancé » et certains anglophones continuent à craindre pour leur avancement à cause de la politique sur les langues officielles. Un correspondant estime que les cours de langue seconde du gouvernement ne devraient pas rester l'apanage des fonctionnaires, mais être dispensés à tous les citoyens, et nombreux sont ceux parmi les deux groupes linguistiques qui souhaiteraient un plus large accès à cette formation linguistique.

## ONTARIO

(traduction)

« ... Étant donné les difficultés que doivent surmonter des personnes se rassemblant sur des bancs d'école après tant d'années et la tension que provoquent chez elles leurs responsabilités professionnelles contradictoires et leurs réactions émotives, il est absolument essentiel de susciter et de maintenir le plus vif intérêt pour la langue seconde ... On pourrait, à l'aide de films, montrer aux gens les nouveaux horizons que leur ouvre la connaissance de celle-ci, non seulement en ce qui a trait aux livres, aux journaux, à la télévision, au cinéma, au théâtre et aux loisirs, mais également pour ce qui est des rapports, papiers, lettres et conférences dans le domaine des affaires, sans parler des nouvelles idées et des nouveaux amis ... »

## NOUVEAU-BRUNSWICK

(traduction)

« ... Je suis moi-même au service du gouvernement fédéral depuis de nombreuses années et je pense que les différents ministres ou la Commission de la fonction publique ont perdu de vue les principes de la mise en œuvre du bilinguisme, empêchant ainsi les Canadiens unilingues anglais d'accéder à des postes de la fonction publique réservés à des candidats bilingues ... »

COLOMBIE-BRITANNIQUE — « Le mérite a ses raisons que la raison ne connaît point. »

(traduction)

« ... Je suis également d'avis qu'il faudrait préciser les modalités d'application du bilinguisme au sein de la fonction publique ... Je pense que la majorité des Canadiens sont comme moi favorables au bilinguisme, prêts à l'accepter, et pour ma part je le suis, mais à condition

COLOMBIE-BRITANNIQUE — « Nous sommes entraînés par le courant et il nous faut le suivre. »

Thomas d'Arcy McGee, *Débats de la Confédération*, 9 février 1865.

(traduction)

« Avoir deux langues officielles, c'est s'attirer une foule d'ennemis; voyez un peu la Belgique... C'est bien beau de parler deux langues, mais pas quand il faut publier en version bilingue toute la papéraserie; on s'est toujours plaint de la bureaucratie, mais cette fois-ci c'est le comble !... Tous mes amis néo-canadiens pensent que nous sommes devenus complètement cinglés !... Cessez donc la comédie ! et consacrons notre temps et notre argent à des tâches vraiment constructives... »

MANITOBA — « Et le voyage à lui seul, pourrait être 'ben l'un' ». (traduction)

« ... Pas besoin de vos Français ici, qu'ils restent dans l'Est ! Mieux encore, qu'on les réexpédie tous *chez eux*, en France... »

NOUVEAU-BRUNSWICK

(traduction)

« ... Je crois que les Français confondent le bilinguisme et unilinguisme français... »

NOUVEAU-BRUNSWICK — « A ma connaissance, on ne peut guère réaliser de grandes choses sans déranger quelque'un ou quelque chose. »

Edward Blake, dans un discours prononcé à Aurora (Ont.) le 3 octobre 1874.

(traduction)

« ... Nous en sommes aujourd'hui au point où l'un de ces groupes ethniques jouit d'un statut spécial aux dépens de tous les autres. Il faut sans tarder mettre fin à telle tendance... En toute honnêteté, pourriez-vous me dire, M. Spicer, la raison d'être du bilinguisme dans un pays où moins de 3 p. 100 des non-Québécois sont incapables de parler anglais ?

En fait, M. Spicer, le bilinguisme est l'œuvre d'une poignée d'agitateurs qui trouvent des complices chez des politiciens en quête d'électeurs et chez des journalistes en mal de lecteurs... J'espère m'être bien fait comprendre. Il faut immédiatement prendre les mesures nécessaires pour renverser la vapeur en barrant la route à la division et en poursuivant un seul objectif : la grandeur du Canada. »



QUÉBEC

(traduction)

« . . . Il n'est pas réaliste de la part du gouvernement du Canada ni de celui du Québec de poursuivre l'application de ce programme pour empêcher l'assimilation des québécois francophones en faisant apprendre le français aux québécois anglophones. Ce programme a beau être très bien conçu, il n'arrêtera pas pour autant l'assimilation; tout ce qu'il peut faire, c'est la retarder . . . A la vérité, seule la francisation des États-Unis peut sauver les Canadiens français . . . »

QUÉBEC — « De nous-mêmes et de nos destinées, nous n'avons compris clairement que ce devoir-là : persister . . . nous maintenir . . . Et nous nous sommes maintenus, peut-être afin que dans plusieurs siècles encore le monde se tourne vers nous et dise : Ces gens sont d'une race qui ne sait pas mourir ! »

Louis Hémon, *Maria Chapdelaine*.

(traduction)

« . . . Il est quelque peu injuste de condamner et de critiquer la grande majorité des Québécois unilingues anglais pour une conduite tout à fait normale et naturelle . . . Quoi qu'ils fassent, avec le temps, les Franco-québécois seront assimilés, et les Canadiens devraient avoir le bon sens, ou du moins l'honnêteté et le courage de regarder la situation bien en face s'ils veulent juguler le séparatisme . . . »

QUÉBEC

(traduction)

« . . . Saviez-vous qu'à l'université du Québec à Montréal quiconque propose de parler anglais s'expose à une bonne rossée ? . . . Saviez-vous que pendant des siècles avant la conquête anglaise, les Français ont maintenu ici une société fermée ? Saviez-vous que pas un seul protestant, pas un seul juif n'a été autorisé à fouler le sol sacré du Québec sous l'Ancien Régime et qu'en fait, avant l'arrivée des Anglais avec leurs manières impies, ce pays vivait dans un isolement extrême, à l'image du Japon ? »

QUÉBEC

(traduction)

« . . . A notre avis, les Français menacent notre langue et notre culture, et ceci en vertu d'un décret gouvernemental . . . »

QUÉBEC

« . . . nous ne pouvons même pas parler notre langue correctement et on veut nous imposer le bilinguisme. Encore plus, nous répétons la traduction . . . »

(traduction)

« . . . Jusqu'à présent, le problème a été débattu au Parlement, il a fait les manchettes de la presse et défrayé l'opinion publique, notamment chez les fonctionnaires, mais l'implantation du bilinguisme dans la fonction publique n'a pas progressé pour autant. En avançant des idées et des propositions pour aider à la réalisation de ce programme, tout le monde, que ce soit au Parlement, dans la presse ou parmi le public, pratique la politique de l'autruche. Le bilinguisme ne pourra fonctionner tant que la méchante ' patente waspique ' sera en place. Que sert, en effet, de légiférer contre les passions ? . . . »

ALBERTA

(traduction)

« . . . et neurt sur dix de mes interlocuteurs, que ce soit à mon bureau ou dans la profession, sont fermement opposés à la grande poussée actuelle qui veut faire de ce pays une nation bilingue dans le seul but d'amadouer une province . . . la plupart me disent que c'est là une vaste rigolade, car on peut aller se payer une bonne ' traite ' à Montréal ou dans une université du coin et y apprendre le français au frais de la princesse, tout en continuant à toucher intégralement sa paye . . . Tout ça à cause du Québec bien sûr, cette province qui dirige le pays; pourquoi continuer à vouloir forcer la décision à coup d'ou-kases ?

Que les Québécois fassent comme les Canadiens d'autres origines et cultures : qu'ils s'intègrent, et notre pays en sortira grand dans l'unité. »

ALBERTA

(traduction)

« . . . La majorité n'a jamais accepté la Loi sur les langues officielles et elle ne l'acceptera jamais ! . . . Contrairement à ce que vous pouvez penser, cette loi n'a pas unifié le Canada, elle a aliéné tous les Canadiens non québécois. »

ALBERTA

(traduction)

« L'heure de la vérité a sonné : voyons enfin ce qu'il y a réellement derrière ces mots dont on nous rebat les oreilles, ' CANADA FRANÇAIS ' et ' CANADIEN FRANÇAIS '. Mais où se trouve donc le Canada français, et depuis quand la France possède-t-elle des territoires au CANADA ? . . . Vouloir imposer à tous les fonctionnaires un statut bilingue ou multiculturel (sic), voilà qui sent un brin son despotisme; il est temps de changer de gouvernement. »

## MANITOBA

(traduction)

« Je suis l'un de ces nombreux Canadiens d'âge mûr de l'Ouest du pays qui voulaient devenir bilingues. Malheureusement, n'étant pas fonctionnaire fédéral, il a fallu que je paie moi-même mes cours de langue . . . Je pense qu'il serait bon d'instaurer un système d'échanges entre les familles du Québec et l'Ouest canadien, car il me semble que tout Canadien animé d'un véritable sentiment national se doit de connaître 'l'autre' culture. J'ai dû consacrer du temps et de l'argent à l'apprentissage du français, mais j'ai été récompensé de mes efforts, qui m'ont permis de vraiment comprendre et respecter mes compatriotes. »

b) *Le contre* — « Audi partem alteram — Écoutez l'autre partie. » Saint Augustin.

## ONTARIO

(traduction)

« . . . Tout le monde sait que la langue de travail en Amérique du Nord et dans une grande partie du monde est l'anglais . . . Le plus tôt la majorité imposera ses lois à la minorité, le mieux cela vaudra pour tout le monde. »

## QUÉBEC

(traduction)

« . . . Je n'ai rien contre le français — la plupart de mes meilleurs amis sont français. »

ONTARIO — « Garde bien ta langue, mon fils, et tu garderas ton ami. »  
Chaucer, *The Canterbury Tales*, « The Maunciple's Tales ».

(traduction)

« . . . Chacun sait que l'anglais est la langue de travail non seulement en Amérique du Nord, mais aussi dans le monde entier, on n'a pourtant jamais eu besoin de l'enfoncer dans le crâne des gens, comme on veut le faire du français . . . »

## ONTARIO

(traduction)

« Suite à la plainte que je vous adressai récemment au sujet de l'unilinguisme français effréné qui sévit désormais à Ottawa, vous n'avez trouvé rien de mieux que d'y faire réponse par 'francotaune' interposée . . . »



minorité francophone du Canada et en même temps une chance inespérée d'enrichir la majorité par la connaissance de la langue et de la culture française. »

NOUVELLE-ÉCOSSE — « S'ils se connaissaient mieux les uns les autres, voilà qui dissiperait la moitié de leurs craintes et la totalité de leurs insuites. »

T. C. Haliburton, *Sam Slick*.

(traduction)

« . . . Je ne suis pas français et ne parle pas cette langue, mais j'admire profondément le peuple canadien-français et lui suis pleinement reconnaissant d'avoir si fortement contribué à l'exploration et à la mise en valeur de notre pays. Le rôle joué par les francophones dans notre histoire est aussi illustre, sinon plus, que celui joué par les autres . . . »

ONTARIO

« . . . Je m'étonne que les lois fédérales du Canada soient rédigées dans une des langues officielles et traduites dans l'autre. Cette pratique pourrait être interprétée comme le signe d'une inégalité entre les deux langues, l'une d'elles étant ' la langue traduite ' ou ' langue seconde '. Il semble que le caractère bilingue de la communauté canadienne ne peut être maintenu que si les lois qui la régissent sont rédigées simultanément en anglais et en français . . . »

ONTARIO

(traduction)

« . . . Je ne crois pas personnellement que les Québécois d'expression anglaise voient dans la politique de bilinguisme du gouvernement une reprise de la bataille des Plaines d'Abraham où ils seraient cette fois perdants. Je pense au contraire que la plupart des Québécois anglophones sont favorables à la Loi sur les langues officielles et à la politique de bilinguisme qui, selon eux, devraient permettre aux deux parties de gagner. »

ONTARIO

« . . . Le gouvernement fédéral semble prendre conscience [et] a donné justice envers ses sujets d'abord en imprimant les documents bilingues et en accordant 7 p. 100 d'augmentation au salaire pour ses employés pouvant s'exprimer en les deux langues officielles du Canada. C'est un pas encourageant et j'espère que le travail va continuer. Quant aux provinces, il semble y avoir beaucoup à faire en ce sens . . . »

lui-même autant que certaines personnalités gouvernementales doivent, en multipliant les discours, entrevues et programmes d'information de qualité, aider le public aux prises avec la chose bilingue à saisir et affronter la réalité qu'elle recouvre.

Dans leur grande majorité, ces lettres d'intérêt général proviennent de correspondants anglophones, au contraire des lettres de plaintes, écrites surtout par des Canadiens d'expression française.

Le Commissaire et le personnel de son bureau préposé à la correspondance s'efforcent de répondre minutieusement aux multiples questions ainsi posées. Comme l'affirmait le dernier rapport annuel au Parlement, « l'ombudsman ne doit jamais fermer sa porte... S'il ne peut aider le plaignant officiellement aux termes de la loi, il se doit d'essayer ou bien d'expliquer au plaignant avec clarté et simplicité pourquoi toutes les « portes » possibles lui semblent fermées, ou bien de lui trouver officiellement « la bonne porte » — le recours valable — à laquelle l'ombudsman est prêt à frapper au nom du plaignant ».

Tel est l'esprit qui préside à l'étude des plaintes et à l'examen de toutes les lettres quel qu'en soit le contenu : c'est ainsi que plusieurs personnes ont pu mieux se débrouiller avec des problèmes d'emploi, venir à bout de formules abstruses, ou encore retrouver leur fil dans le dédale rarement linguistique où les enfermait, selon elles, la « dérobade interministérielle » ; une dame de la Colombie-Britannique a reçu les partitions de chants de Noël français qu'elle avait demandées ; une infirmière des confins du Labrador a obtenu du matériel pédagogique pour ses collègues, qui, à défaut de mettre en pratique la philosophie du boudoir prônée par le Commissaire pour l'enseignement du français, désiraient soigner leurs grabataires en anglais ; enfin, une kyrielle de quémandeurs de fonds furent invités, à peu de frais, à faire fond sur la philanthropie du Secrétariat d'État.

Pour se faire une idée du genre de lettres que reçoit le Commissaire, il suffit de lire les quelques extraits reproduits ci-dessous, d'où seules ont été bannies certaines missives jugées par trop obscènes et donc malsonnantes pour des oreilles parlementaires.

### *1. Deux langues officielles : le pour et le contre*

Le lecteur remarquera que de nombreux Canadiens persistent à parler langues avec leur cœur et parfois avec cœur.

#### *a) Le pour*

ALBERTA

(traduction)

« Nous avons beaucoup à gagner par la mise en œuvre de la politique gouvernementale. C'est l'occasion de rendre justice à la

## L'ÂGE DE RAISON...

Que font donc le Commissaire et ses collaborateurs quand ils ne passent pas leur temps à pontifier dans les rapports annuels qu'ils mitonnent à l'intention du Parlement et du peuple ? Tâchant de ne pas trop se battre contre des moulins à vent, ils s'affairaient à instruire des plaintes et à lancer des études dispensatrices de « médecine préventive », en vue de s'acquitter des fonctions dont les a chargés le législateur. Pour le lecteur brûlant de s'initier au sérai de la procédure, ce chapitre présente le fonctionnement des deux services « opérationnels » du bureau, ainsi qu'une sorte de rétrospective, brossée par chacun d'eux, de trois années d'expérience. Mais respirons d'abord une bouffée de cet air vivifiant dans lequel le Commissaire et ses collaborateurs vaquent à l'ouvrage. Adonques, le Commissaire ouvre toute grande sa boîte aux lettres (sans dévoiler de noms, bien entendu) et offre à tout venant une tranche de vie canadienne, linguistique, s'entend, qui dans sa minceur n'en est peut-être pas moins révélatrice.

*A. La boîte aux lettres : les Canadiens ont de la mine dans leur crayon*

En sa qualité « d'ombudsman linguistique », le Commissaire reçoit des Canadiens un abondant courrier, qui parfois déborde sa compétence. Ces correspondants ne lui écrivent pas pour se plaindre d'une quelconque violation de la Loi sur les langues officielles, mais pour l'encourager (ou le décourager) dans sa tâche, l'interroger sur certains points de la loi, lui communiquer leurs suggestions, critiquer la mise en œuvre de la politique de bilinguisme, ou encore pour lui demander de l'argent au profit de causes très souvent louables. Outre qu'elle lui apprend beaucoup sur ses propres erreurs et errements, cette correspondance lui permet de mieux déceler les secteurs où





à prix fortement réduit : il suffirait au Parlement de subventionner toutes les compagnies aériennes, sociétés de chemin de fer et lignes d'autocars canadiennes, publiques et privées (en leur remboursant le manque à gagner qui en résulterait pour elles), de façon à leur permettre d'accorder uniformément à tous les citoyens des remises importantes pour tout voyage qu'ils entreprendraient pendant leurs congés annuels. De sorte à promouvoir les grands déplacements, ceux qui favoriseraient le plus la compénétration des deux groupes linguistiques, le CN, Air Canada, CP Rail, CP Air et les compagnies d'autocars pouraient, par exemple, consentir un rabais de 50 p. 100 sur les distances d'au moins 1 000 milles et de 75 p. 100 à partir de 2 000 milles. Ces réductions seraient corrigées par des ajustements saisonniers tenant compte du facteur « charge » qui, notamment pour les compagnies aériennes, peut si facilement décider des profits ou pertes.

Un tel système présenterait des avantages notables. Tout d'abord, il engendrerait peut-être une bien meilleure compréhension mutuelle entre les Canadiens des deux groupes linguistiques qui, même s'ils n'aprenaient pas à s'aimer pour autant, pourraient à tous le moins apprendre à se suspecter plus intelligemment. Ensuite, en amenant les touristes canadiens à dépenser davantage chez eux, il contribuerait grandement à l'amélioration de la balance des paiements (en 1973, les globe-trotters canadiens ont semé quelque 1 684 millions à l'étranger). Pour finir, une structure tarifaire intégrant des rabais subventionnés, corrigés en fonction des variations saisonnières mais toujours fort aléchants, pourrait s'avérer avantageuse pour les sociétés et agences de voyages, puisque, en régularisant la courbe des recettes annuelles procurées par le transport voyageurs, elle faciliterait la planification et les prévisions budgétaires, et atténuerait éventuellement les tensions sociales en réduisant la nécessité des licenciements. Quant au ministre de l'Énergie, des Mines et des Ressources, il n'en dormirait certainement que mieux en rêvant aux gargantuesques économies de pétrole consécutives à l'utilisation des transports publics au lieu de la voiture particulière. Le Commissaire admet assurément qu'il ne saurait parler avec autorité sur un sujet aussi riche en répercussions politiques, économiques et administratives. Mais, en hommage à des dames, et messieurs aussi bien, dans la fleur de l'âge, contribuables malchanceux pressurés de toutes parts et laissés pour compte entre les tarifs « jeunesse dorée » et les billets de l'« âge d'or », il convie le Parlement et l'opinion publique à méditer sa proposition un peu plus que l'ombre d'un instant. En 1914, à la poursuite du Profit, Henry Ford mettait des roues aux États-Unis; peut-être serait-il temps qu'en 1974, quelqu'un songe à donner des ailes et des roues aux Canadiens pour les lancer à la découverte de leur Moi national en même temps qu'à la recherche de leur intérêt bien compris.

gramme beaucoup plus vaste permettant enfin à notre pays de mettre en valeur, avec la spontanéité et le réalisme que seuls peuvent lui insuffler des jeunes s'exprimant en leur langue, le vivant patrimoine linguistique jusqu'à si cruellement absent de la plupart des salles de classe. Sans être un remède universel, ce programme pourrait bien, pour la première fois et ce au profit de milliers de jeunes Canadiens, réaliser un vieux rêve : voir un jour la majorité de la population adulte du Canada capable de s'exprimer, même en anonyme, par le truchement de deux langues planétaires. Et, ce qui n'est pas moins important, il devrait aider les jeunes à extirper de vieux préjugés à l'endroit de leurs compatriotes qui parlent l'autre langue officielle, en leur fournissant l'occasion de les rencontrer face à face et d'échanger des idées, convergentes ou divergentes, dans le décor familial de leur lieu de travail ou d'études.

### 3. *La quarantaine, ce n'est pas encore l'âge de la quarantaine : envoyons la crise énergétique en rayonnant à travers le Canada*

Investir dans la jeunesse, c'est préparer l'avenir. Reconnaître le rôle des ans, c'est faire la part du présent. Le Commissaire en profite ici pour lancer tout uniment un petit ballon d'essai que le Parlement souhaitera peut-être saisir au vol et faire rebondir en creusant le message dont il est porteur afin de « gonfler » un brin les Canadiens adultes pour qu'ils se mettent activement en quête d'un pays qui se connaîtrait un tantinet mieux.

Ce n'est pas d'hier que dans plusieurs États européens, les gouvernements subventionnent, sur les réseaux ferrés nationaux, les déplacements de leurs ressortissants à l'occasion des congés annuels. Au cours de ses propres périples par tout le pays, le Commissaire ne peut que perpétuellement constater combien sont nombreux les Canadiens qui connaissent les États-Unis, l'Europe, voire d'autres continents, mieux que quantité d'immenses régions de leur petite patrie — surtout si une langue officielle différente de la leur y est d'usage prédominant. D'où il se demande s'il ne conviendrait pas que le Parlement envisage, en s'inspirant du modèle européen, de subventionner un projet beaucoup plus ambitieux.

Bien des sociétés et agences de voyages consentent déjà des tarifs spéciaux au troisième âge, aux skieurs et autres amateurs de sensations fortes, c'est vrai. Mais l'heure semble être venue d'impartir ces privilèges, dans un souci d'efficacité et de démocratie, à tous les contribuables canadiens. Le Commissaire juge qu'il serait assez facile de mettre sur les rails, au profit de tous les Canadiens adultes (parents ou non), une politique nationale de voyages aux termes de laquelle tout citoyen se verrait offrir une fois l'an, sur le territoire canadien, un aller retour



de l'immersion et du matériel éducatif) qui, si elles étaient concluantes, devraient offrir de précieux enseignements à l'ensemble du pays. Le Secrétaire d'Etat a en outre fourni une assistance appréciable aux recherches en pédagogie linguistique. Le Commissaire, sachant très bien que ce sont d'autres qui se chargeront de l'intendance, recommanda aux particuliers et aux établissements désireux d'obtenir subventions et conseils pour ce genre d'activités de s'adresser aux autorités provinciales compétentes, qui sont pleinement au courant des ressources et avantages dispensés par le canal du Secrétaire d'Etat.

Le dernier projet est, en puissance, rien moins que révolutionnaire; il s'agit du Programme interprovincial de moniteurs de langue seconde. Ceux qui ont lu les deux premiers rapports du Commissaire se souviendront peut-être de ses homélies sur le sujet; un tel plan permet à de jeunes étudiants du premier cycle universitaire de frayer leur chemin jusqu'au diplôme dans un établissement situé à l'extérieur de leur province, moyennant quelques heures par semaine de cours dans leur propre langue (de conversation et de prononciation surtout) à titre d'assistants des professeurs de langue seconde dans les écoles locales. Les pressions éhontées et probablement anticonstitutionnelles exercées par le Commissaire et ses collaborateurs ont fini par porter leurs fruits en mai et juin 1973; ils ont alors eu l'insigne coup de chance de gagner l'aval des dix ministres de l'Éducation (après consultation de l'Association canadienne des commissaires d'école et de la Fédération canadienne des enseignants) et, derechef pour les espèces sonnantes et trébuchantes, du Secrétaire d'Etat, appuyé par le Premier ministre. En l'espace de quelques semaines, le Secrétaire du Conseil des ministres de l'Éducation, en liaison étroite avec les co-ordinateurs provinciaux, accomplissait le prodige de placer, pour septembre 1973, le programme sur orbite, avec 176 assistants et, quelques semaines plus tard, la participation de toutes les provinces à un degré ou à un autre. Dès janvier 1974, le Secrétaire du Conseil avait virtuellement atteint l'objectif de 200 moniteurs volontaires qu'il s'était fixé pour la première moitié de ce programme-pilote biennal, chaque « coopérant linguistique » se voyant attribuer une indemnité de \$4 000, majorée d'une allocation maximale de \$300 pour frais de transport.

A la fin novembre, le Commissaire a rencontré à Ottawa une quarantaine de ces moniteurs. Des premières semaines d'expérience « sur le tas » ressort, chez tous les intéressés, une bonne volonté manifeste de guérir les inévitables douleurs de croissance que doit surmonter un programme aussi inédit dans sa nature qu'ambitieux dans ses visées. L'enthousiasme des moniteurs, comme celui d'autres participants, professeurs et responsables de commissions scolaires, avec lesquels le Commissaire a eu l'occasion de s'entretenir, lui donne l'espoir que cet essai débouchera, d'ici deux ou trois ans, sur un pro-

sert effectivement à l'apprentissage des langues. Il a également indiqué que le deuxième accord fédéral-provincial, à négocier en 1974, confèrera à Ottawa une plus grande responsabilité comptable.

A part ces chicanes de chiffres, un rapport déposé en juin 1973 par le Secrétaire d'Etat confirme plusieurs signes de progrès déjà notés par le Commissaire, et qui témoignent indéniablement de la ferme volonté, chez les éducateurs provinciaux, d'améliorer les programmes linguistiques. En résumé, ce rapport signale un accroissement encourageant de la population scolaire dans les établissements de langue officielle minoritaire, les reculs en certains endroits étant attribués soit à une légère diminution de la minorité francophone, soit à la mobilité de celle-ci; ce diagnostic est corroboré par le tableau C ci-dessus qui montre une hausse des taux d'inscription aux cours de français langue seconde dans les écoles élémentaires, parallèlement à une chute, momentanée on l'espère, de ces mêmes taux dans les écoles secondaires. Parmi les améliorations réalisées, citons : la création, par la plupart des provinces, de sections françaises au sein de leurs directions des études; le lancement de nouveaux programmes, l'instauration d'un processus de révision, et le recrutement de conseillers spéciaux pour les deux types d'enseignement subventionnés; l'extension du réseau des écoles secondaires de langue minoritaire (souvent jusqu'alors le maillon manquant à la filière des études en français hors du Québec) et la qualification accrue de leur personnel enseignant; des séminaires, projets-pilotes, cours d'été et autres formules visant à perfectionner l'arsenal pédagogique des professeurs de langue seconde; des échanges d'étudiants; enfin, l'emploi, qui tend à se généraliser, de manuels et de matériel audio-visuel en prise sur le monde moderne et souvent *Made in Canada*. Toutes ces réformes suffisent à convaincre le Commissaire (même si certaines d'entre elles peuvent lui inspirer quelque doute teinté de sympathie) de la richesse qui germe du bon grain linguistique que le Secréariat d'Etat se doit de continuer à semer, d'un geste encore plus ample.

Grâce au Programme de bourses — cours d'été de langue seconde, un autre rêve est devenu réalité. Durant l'été 1973, il a permis à plus de 4 000 jeunes Canadiens inscrits dans les cégeps, collèges communautaires et universités de suivre environ six semaines de cours de langue à plein temps. De même, le nouveau programme biennal de 4 millions de dollars entrepris conjointement avec l'Ontario en vue de diversifier et d'améliorer l'enseignement du français langue seconde dans la région d'Ottawa semble avoir pris un bon départ. Les contacts qu'a eus le Commissaire avec deux des quatre commissions scolaires bénéficiant des mannes du Secréariat d'Etat l'autorisent à penser que ce stimulant plus que symbolique a incité professeurs et conseillers pédagogiques à tenter des expériences (notamment dans les domaines

Tableau C. Effectifs pour la langue minoritaire\* comme langue seconde, par niveau et par province, 1972-1973 et 1973-1974

% de la durée de l'enseignement créé à la langue seconde	Langue minoritaire comme langue seconde	Inscriptions	%	Clientèle scolaire	Classe		
						1972-1973	1973-1974

Colombie-Britannique	M-7	324 631	20 315	6,3	5,0	11,3	5,1
	8-12	201 430	115 212	57,2	11,0	8,9	48,3
1973-1974	M-7	350 710	31 226	8,9	5,1	11,0	5,1
	8-12	218 550	105 664	48,3	11,0	12,0	6,4
Total (9 Provinces)	Élém.	2 582 718	816 521	33,3	6,4	7,0	11,7
	Sec.	1 461 730	653 681	47,0	11,1	34,4	43,2
1973-1974	Élém.	2 561 735	839 401	34,4	11,7	33,4	43,2
	Sec.	1 496 308	619 419	43,2	11,1	33,4	43,2
Québec	M-7	888 970	249 600	33,4	11,1	33,4	43,2
1972-1973	M-7	888 970	249 600	33,4	11,1	33,4	43,2
	8-12	716 700	606 300	100,0	14,2	100,0	14,2
1973-1974	M-7	830 900	233 850	33,4	11,0	100,0	14,2
	8-12	698 250	599 075	100,0	14,2	100,0	14,2

SOURCE : Statistique Canada. Les données pour 1973-1974 constituent des estimations préliminaires établies à partir de renseignements fournis par les ministères provinciaux de l'Éducation.  
\*La langue minoritaire enseignée comme langue seconde est le français dans toutes les provinces sauf au Québec.

peut toutefois éluder la question et juge raisonnable de réitérer son souhait de l'an passé, que l'argent destiné par le Parlement à la « parole » ne se transmue pas en l'« or du silence ». Au surplus, la vigilance dont les parents et la presse ont fait preuve devrait avoir pour résultat d'inciter les ministères de l'Éducation à bien utiliser les subventions aux fins prévues, sans oublier de les répartir équitablement entre les deux objectifs du programme : l'enseignement du français ou de l'anglais comme langue seconde, et l'enseignement dans les écoles de la minorité linguistique officielle. D'ailleurs, le Secrétaire d'État, à l'issue de récentes consultations avec tous les ministres de l'Éducation et à la suite de contacts permanents entre ses services et les provinces, n'a-t-il pas déclaré en janvier 1974, à l'intention des deux chambres, qu'il était à la fois « impressionné et encouragé » par la progression des programmes linguistiques scolaires, sous-entendant par là que, tout comme les responsables provinciaux, il croit que l'argent versé par le fédéral



Tableau C. Effectifs pour la langue minoritaire\* comme langue seconde, par niveau et par province, 1972-1973 et 1973-1974

Langue minoritaire comme langue seconde créé à la durée de l'enseigne- ment consa- crée à la seconde	%	Inscriptions	Clientèle scolaire	Classe		
					1972-1973	1973-1974




Terre-Neuve	M-6	101 210	61 333	35 641	31 951	31,6	58,2	33,3	54,4	10,7	6,4	10,8	5,6	12,0	5,8	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	7,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5
	7-12	61 333	35 641	31 951	31,6	58,2	33,3	54,4	10,7	6,4	10,8	5,6	12,0	5,8	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	7,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5	
1973-1974	M-6	97 800	63 620	34 584	32 520	33,3	54,4	10,7	6,4	10,8	5,6	12,0	5,8	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	7,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5		
	7-12	63 620	34 584	32 520	33,3	54,4	10,7	6,4	10,8	5,6	12,0	5,8	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	7,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5			
Ile-du-Prince-Edouard	M-6	15 599	13 333	8 678	4 918	32,5	66,6	10,8	6,4	10,8	5,6	12,0	5,8	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	7,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5		
	7-12	13 333	8 678	4 918	32,5	66,6	10,8	6,4	10,8	5,6	12,0	5,8	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	7,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5			
1973-1974	M-6	15 750	13 320	8 156	6 226	40,7	62,8	10,8	5,6	12,0	5,8	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	7,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5				
	7-12	13 320	8 156	6 226	40,7	62,8	10,8	5,6	12,0	5,8	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	7,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5					
Nouvelle-Ecosse	M-6	121 032	91 624	16 736	57 853	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
	7-12	91 624	16 736	57 853	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5													
1973-1974	M-6	115 703	23 858	59 420	23 858	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
	7-12	23 858	59 420	23 858	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5													
Nouveau-Brunswick	M-6	91 273	33 332	39 097	33 332	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
	7-12	82 788	39 097	33 332	39 097	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
1972-1973	M-6	88 005	31 997	37 852	31 997	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
	7-12	83 785	37 852	31 997	37 852	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
1973-1974	M-8	1 445 101	596 729	218 187	596 729	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
	9-13	583 013	218 187	218 187	596 729	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
1972-1973	M-8	1 445 101	596 729	218 187	596 729	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
	9-13	583 013	218 187	218 187	596 729	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
1973-1974	M-8	1 442 750	597 050	208 373	597 050	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
	9-13	596 490	208 373	208 373	597 050	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
1973-1974	M-6	135 710	44 401	48 432	44 401	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
	7-12	110 500	48 432	48 432	44 401	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
1972-1973	M-6	128 450	47 845	48 432	44 401	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
	7-12	111 930	45 121	48 432	44 401	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
1973-1974	M-6	124 019	6 235	61 913	6 235	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
	7-12	111 401	6 235	61 913	6 235	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
1973-1974	M-6	117 438	6 674	56 696	6 674	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
	7-12	109 074	6 674	56 696	6 674	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
Alberta	M-6	224 143	61 904	68 668	61 904	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
	7-12	206 308	61 904	68 668	61 904	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
1972-1973	M-6	225 129	62 010	68 668	62 010	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
	7-12	209 453	62 010	68 668	62 010	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
1973-1974	M-6	225 129	62 010	68 668	62 010	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												
	7-12	209 453	62 010	68 668	62 010	14,4	65,0	21,3	67,4	12,1	5,9	14,7	6,2	12,9	6,6	13,0	44,5	36,4	34,1	45,3	39,0	41,8	55,7	52,1	28,1	34,5	27,9	31,2	10,2	5,5												

Tableau B. Profil de l'enseignement de l'anglais comme langue seconde dans les écoles de la langue minoritaire, de la maternelle à la 12<sup>e</sup> année, 1973-1974

	MATERNELLE	1	2	3	4	5	6	7	8	9	10	11	12
TERRE-NEUVE													
ÎLE-DU-PRINCE-ÉDOUARD													
NOUVELLE-ÉCOSE*													
NOUVEAU-BRUNSWICK													
QUÉBEC													
ONTARIO													
MANITOBA													
SASKATCHEWAN**													
ALBERTA**													
COLOMBIE-BRITANNIQUE**													

Source: Bureau du Commissaire aux langues officielles.

**Légende:**

-  L'enseignement de la langue seconde ne fait pas partie du curriculum reconnu par le ministère de l'Éducation.
-  L'enseignement de la langue seconde peut faire partie du curriculum reconnu par le ministère de l'Éducation à la discrétion de chaque commission scolaire.
-  L'enseignement de la langue seconde fait partie obligatoirement du curriculum reconnu par le ministère de l'Éducation.

\*Selon la législation provinciale, l'anglais est la langue d'enseignement dans toutes les institutions; cependant, à cause de la forte demande, on accorde le privilège à certaines écoles d'enseigner dans la langue de la minorité.  
 \*\*Même si le français est autorisé comme langue d'enseignement, on ne peut y consacrer qu'un certain pourcentage du temps (environ 50%).

Tableau A. L'enseignement du français comme langue seconde, de la maternelle à la 12<sup>e</sup> année, 1973-1974

	MATERNELLE	1	2	3	4	5	6	7	8	9	10	11	12
TERRE-NEUVE													
ÎLE-DU-PRINCE-EDOUARD													
NOUVELLE-ÉCOSSE													
NOUVEAU-BRUNSWICK													
QUÉBEC*													
ONTARIO													
MANITOBA													
SASKATCHEWAN													
ALBERTA													
COLOMBIE-BRITANNIQUE													

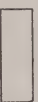
Source: Bureau du Commissaire aux langues officielles.

**Légende:**

L'enseignement de la langue seconde ne fait pas partie du curriculum reconnu par le ministère de l'Éducation. \*\*



L'enseignement de la langue seconde peut faire partie du curriculum reconnu par le ministère de l'Éducation à la discrétion de chaque commission scolaire. \*\*\*



L'enseignement de la langue seconde fait partie obligatoirement du curriculum reconnu par le ministère de l'Éducation.

\* Il s'agit ici de l'enseignement du français aux élèves du secteur anglophone.

\*\* Toutefois, certaines commissions scolaires dispensent un enseignement de la langue seconde.

\*\*\* Dans certaines provinces, des commissions scolaires rendent l'enseignement de la langue seconde obligatoire à un niveau ou l'autre.



Eu égard aux réalités constitutionnelles canadiennes, il estime peu sages, voire injustes, les insinuations de scandale; mais en raison des quelques doutes qui planent sur l'affectation réelle de ces fonds, il ne allègements.

saire n'était-il guère en mesure de vérifier les faits à l'origine de ces subventions, ainsi d'ailleurs que dans leur comptabilité; aussi le Commissaire provincial laissait aux provinces entière liberté dans la dépense des l'enseignement des langues secondes. Cette première entente fédérale-faisant état d'une mauvaise utilisation des fonds fédéraux alloués pour reçu de citoyens et d'associations de six provinces quinze plaintes rapport; au cours de l'année de référence, le Commissaire a en effet meurs de « détournement de fonds » déjà signalées dans le précédent de l'éducation aux niveaux pré-universitaires » a suscité quelques ru-cial de coopération pour la promotion du bilinguisme dans le domaine lonnés, sur quatre ans, jusqu'en 1974. Ce « programme fédéral-provin-nements provinciaux des subventions de 300 millions de dollars éche-Au titre du principal d'entre eux, le ministre consent aux gouver-efficace, a lancé ou bien financé tous ces programmes.

C'est le Secrétaire d'Etat, qui, s'avérant un catalyseur toujours plus de louables efforts pour tracer la voie aux gouvernements provinciaux. de plusieurs programmes, le gouvernement fédéral a toutefois déployé comme tout ce qui a trait à l'éducation, relève des provinces. Par le biais La constitution stipule que l'enseignement de la langue seconde,

## 2. *Mais oui, les fédéraux, ça peut servir*

partie, l'histoire contemporaine. au début des années 80. Les tableaux des pages qui suivent racontent, en de la préparation au bilinguisme de la génération de diplômés qui sortira de Français, notamment aux cours d'immersion, ce qui augure bien enregistrèrent un accroissement encourageant des inscriptions aux cours haut de l'échelle scolaire, les écoles élémentaires du Canada anglophone réalité canadienne actuelle. Nonobstant ces attristantes déflections en à inscrire le Français dans un contexte attirant en prise directe sur la seurs, de leurs manuels et de leurs programmes ne parvenant pas encore sements, pour la langue seconde, un trop grand nombre de leurs profes-le perpétuel manque d'intérêt, chez les élèves de ces mêmes établis-Français comme matière obligatoire dans les écoles secondaires; enfin, d'entrée; il en découle, et c'est là le deuxième facteur, un abandon du retranchant bien souvent le Français de leur liste des conditions préalables l'accès » (à ne pas confondre avec l'abaisssement des normes), en de subventions et donc affirmées d'étudiants, auxquels elles « facilitent apparemment de trois facteurs : la bousculade des universités assoiffées

Les motivations des étudiants tout en masquant l'impuissance de la plupart des professeurs « professionnels » de français à parler . . . français, un point c'est tout. Le mythe du « patois québécois », ce prétexte « sauve-face » dont usent tant de professeurs de la vieille école muets ou mis à quia, semble enfin lâcher prise au profit d'une reconnaissance sans fard du parler canadien-français, dont on admet que le riche particularisme n'est pas plus incompatible avec un français international de haut niveau que l'argot nasillard de « Trawna » (Toronto en joual canadien-anglais), avec l'anglais « transatlantique ». Démosthène pouvait bien déclamer la bouche pleine de pierres; l'espoir point maintenant que beaucoup plus d'élèves et d'étudiants anglophones pourrout désormais converser en français, l'esprit vide de préjugés d'un siècle révolu.

Une deuxième tendance, corollaire de ce qui précède, se manifeste par l'augmentation du pourcentage de professeurs de français formés non pas à la seule école de la spécialisation mais aussi à celle d'une pédagogie plus loquace. Il y a dix ans, dans la plupart des départements de français des universités canadiennes-anglaises, on jugeait que l'enthousiasme de l'étudiant pour la langue parlée dénotait, à priori et à l'évidence, un esprit profondément superficiel. Aujourd'hui, les laboratoires de langues ne passent plus pour des limbes électroniques réservés aux cruches cérébrales. Après avoir pendant si longtemps taxé les départements de français du pays de « médiévalisme » linguistique, le Commissaire se réjouit de cette prise de conscience de la primauté à accorder à un enseignement dans lequel l'érudition littéraire s'accompagne d'office d'une solide connaissance de la langue parlée. De la même manière, on semble mettre l'accent, dans les départements d'anglais des universités canadiennes-françaises, sur une plus grande facilité d'élocution. Au dire (et au voir) de tous, il n'y a pas si longtemps encore, les futurs professeurs, au Québec notamment, se voyaient infliger un charabia anglais sans grand sens, ce qui n'était pas fait pour dissiper certains complexes dont ils étaient déjà affligés. Maintenant, ces départements sont au moins stimulés par leur propre ministre de l'Éducation qui interprète à sa façon, dans une étude ministérielle, la « catastrophe nationale » trompée par le Commissaire, en affirmant le caractère « déplorable » de l'enseignement de l'anglais aux francophones du Québec et en lui réservant de ce fait des soins tout particuliers dans son nouveau programme à long terme de réforme linguistique doté de 100 millions de dollars.

L'accroissement rapide de la fréquentation des cours de français langue seconde dans les écoles élémentaires apparaît comme une troisième tendance prometteuse pour l'avenir. D'ici environ cinq ans, étant donné la tendance inverse que l'on constate dans les écoles secondaires anglophones, maints parents seront certainement peu optimistes quant aux chances de leurs enfants de jouer un rôle actif dans un Canada devenu plus bilingue. Ce fléchissement au niveau secondaire résulte

dans l'escalade de ses lamentations à la Cassandre vers une « apocalypse cosmique ».

En fait, la conjoncture n'a pas l'air si mauvaise que cela, quoiqu'elle le soit déjà bien suffisamment. Il est vrai que les banderilles du Commissaire ont peut-être eu au moins le maigre mérite de mettre en lumière, à l'occasion même en branle, des entreprises qui démentent ces prédictions d'un jugement dernier linguistique pour demain. Aussi, tel Edith Piaf, non vraiment, il ne regrette rien, tout en espérant beaucoup. Voici donc une esquisse des tendances perçues et des progrès certains accomplis dans l'enseignement de la langue seconde; peut-être suscitera-t-elle d'autres idées et réflexions pour le rapprochement de nos deux solitudes.

# *1. Des raisons de ne pas pleurer*

A travers ses voyages et sa correspondance, le Commissaire a relevé, entre autres tendances marquantes, le désir plus vif des parents, anglophones surtout, que leur enfants apprennent l'autre langue officielle canadienne. Chez les parents canadiens francophones, ce désir librement ressenti d'« offrir » à leurs enfants une seconde langue semble cependant moins répandu : pour les minorités francophones hors Québec, l'anglais est en effet une nécessité économique, sociale, et partant, éducationnelle; c'est souvent aussi le cas au Québec, à cette différence près que s'y ajoute le ressentiment de voir l'anglais imposé à une société qui lutte par ailleurs àprement pour conserver la culture et le caractère français de sa majorité. La conviction toujours plus profonde qui anime, dans tout le Canada, les parents anglophones en faveur de l'extension et de l'amélioration de l'enseignement du français à leur progéniture n'en demeure pas moins un facteur encourageant. Ces parents veulent non seulement que leurs rejetons commencent le français plus jeunes (dès le primaire ou même la maternelle), mais aussi qu'ils apprennent à parler une langue canadienne vivante, par immersion totale si nécessaire, au lieu de s'essayer à atteindre la moyenne comme s'il s'agissait d'une langue morte et « étrangère ».

Ce désir s'exprime par une double insistance : d'une part l'accent qui est mis, désormais par maints professeurs, sur la maîtrise orale de la langue plutôt que sur l'apprentissage mécanique de formes syntaxiques abstruses, et d'autre part le recours à un matériel pédagogique présentant le français comme une langue canadienne. Ces deux pas en avant constituent précisément les premiers pas essentiels dans la mise au rancart de cette revendication antediluvienne du français de France, qui, des générations de Canadiens anglophones durant, a tué dans l'œuf



A deux reprises déjà, lors d'une allocution et dans son précédent rapport annuel, le Commissaire a qualifié l'enseignement des langues secondes au Canada de « désastre » et de « catastrophe nationale ». Conscient du fait que la flatterie verbale est parfois signe d'une constipation intellectuelle, il s'abstiendra cette année de franchir une étape

### E. L'éducation : des oasis dans le désert

Équipés de leur « trousses », armés de leur petit film brise-glace et pourvus d'un épiderme stoïquement coriace, le Commissaire et cinq ou six de ses collaborateurs martèlent à tous azimuts, à 500 000 employés fédéraux « innocents » disséminés à travers le pays, une nouvelle mou-ture du sublime slogan « Je vous ai compris . . . ». « C'est sans la moindre prétention évangélique qu'ils estiment que chaque fois que deux ou trois fonctionnaires se réunissent en « Son » nom (celui du bilinguisme), eux — ou quiconque semble « dans le coup » — devraient être de la partie. Tout ce qu'ils veulent, c'est exhorter à la clarté partout où il le faut, pour ainsi dire, boucher les trous. Loin d'eux l'intention d'usurper sur l'ordre établi de droit divin par le Conseil du trésor ou quelque autre autorité statutaire; ils ne songent qu'à compléter l'excellent travail entamé (peut-être un peu tardivement) par ces institutions en l'agrémentant du parfum d'impartialité que peut exhaler un orga-nisme directement comptable au Parlement.

Commissaire a droit de regard. C'est à la fois pour étreinsillonner le gouvernement dans ses bonnes intentions et pour répondre au besoin d'un mode d'emploi de la Loi sur les langues officielles rédigé en termes compréhensibles par des responsables profanes en la matière, qu'en octobre 1973 le bureau publiait, à l'usage des cadres aiaux, une *Trousse de l'explorateur* comprenant trois instruments : le dépliant de base du bureau sur la loi et le rôle du Commissaire, un fascicule questions-réponses reproduisant un article écrit par le Commissaire pour le numéro de septembre de la *Revue du service civil*, enfin un opuscule illustré de dessins humoristiques, le *Livre de la jungle des langues officielles*, présentant en termes concrets et terre à terre l'intrigue et les protagonistes de l'imbrroglio qui se joue sur le théâtre outaouais du bilinguisme et les implications de ce texte pour les administrateurs. Comme prévu, cet opuscule reprend presque mot pour mot une partie du rapport annuel de l'an dernier, et comme tous les autres textes, il a été mis au point en collaboration avec les syndicats et la direction, qui se chargèrent d'en diffuser les 40 000 exemplaires de la première édition. La demande fut telle qu'une réimpression de 100 000 exemplaires fut commandée en 1974.

pour transmettre aux Canadiens le message élémentaire de la loi et leur rappeler comment faire valoir leurs droits linguistiques fédéraux. C'est là une entreprise stimulante, fort excitante parfois, sans doute parce qu'à l'image de la corrida, elle pique cette même curiosité morbide et suscite cette même titillation du défi à la mort, qui s'emparent du véritable aficionado. Le bureau du Commissaire tient à la disposition des députés, journalistes et autres amateurs moins férus de toutes linguistiques un petit bibliothécaire de documentation fort utilitaire qui s'efforce d'exhumer des données qu'on lui demande le plus souvent de produire à bref délai. Enfin, une version 35 mm du film *Bons amis*, court métrage d'initiation à la loi réalisé sans la moindre prétention pour le bureau, se propulse, dans le pays, apparemment sans dégâts, de cinéma en cinéma; en novembre 1973, il assurait la transition entre Donald Duck et Dracula dans 106 salles de trois provinces. Ses distributeurs estimaient qu'en janvier 1974, il avait déjà été infligé à un bon demi-million de spectateurs.

Ainsi qu'il l'avait promis l'an dernier, le Commissaire a consacré le deuxième volet de sa campagne d'information à l'école. Après avoir étudié la question pendant tout l'automne 1973, en collaboration avec des spécialistes de l'enseignement travaillant pour les commissions des écoles séparées et des écoles publiques de la région d'Ottawa, son bureau compte être en mesure, au début de 1974, de mettre à l'épreuve les « guides du professeur et de l'étudiant » qu'il a conçus pour les différentes classes d'âge et qu'il envisage de présenter en même temps que le documentaire de 12 minutes réalisé pour le bureau, ce petit film ayant déjà fait la preuve de son accessibilité lors de projections à de jeunes spectateurs des premier et second cycles du secondaire, ainsi qu'à des adultes. Un peu plus tard dans le courant de 1974, une fois que ces essais au « banc » auront donné satisfaction aux pédagogues et aux collaborateurs du Commissaire, ce matériel sera distribué dans tout le Canada pour servir à l'enseignement des sciences humaines et de la seconde langue officielle, et ainsi étanchonner l'assise fonctionnelle des programmes canadiens dans ces deux matières.

Dans le troisième volet, enfin, de la campagne menée par le bureau, il s'agit, en priorité absolue depuis l'an dernier, de toucher les employés fédéraux. Tous les observateurs de l'univers des langues officielles ont pu constater par le passé que le « bilinguisme » est loin d'inspirer aux fonctionnaires une sérénité édenique. C'est depuis huit mois seulement que le gouvernement a entrepris, par le truchement de la C.F.R. et du Conseil du trésor, de systématiquement les informer. Même leurs récents efforts, aussi louables soient-ils, ne sauraient toutefois soulager la totalité des agents de l'État (les 250 000 employés supplémentaires que représente le personnel des sociétés de la couronne et des divers autres organismes indépendants, par exemple) sur lesquels le

sensation (qu'il s'agisse de films, de diapositives, de « troussees » ou d'autre chose), que le sérieux du contenu n'exclut ni la simplicité, ni la bonne humeur.

Non moins essentielle qu'une documentation claire et accessible s'avère une campagne d'information visant à expliquer avec tact aux employés, lors d'entretiens personnels, les grands principes mis en œuvre par le Conseil et la Commission de la fonction publique. Le Canadien national, pourtant l'un des grands organismes ne relevant pas du Conseil du trésor, fait appel au magnétoscope pour exposer franchement les faits à ses cadres supérieurs dans chaque région, donnant au moins en l'occurrence un exemple dont d'autres institutions pourraient utilement s'inspirer.

Déjà parvient aux oreilles du Commissaire l'écho de la rumeur suggérant que, dans certains ministères, des administrateurs du milieu de l'échelle, et même du haut, perpétueraient, — quand ils n'aviveraient pas —, des angosses « irrévolues » en jouant sans raison les « man-chots » de mauvais augure dans le tableau qu'ils brossent des exigences linguistiques de la classification. Quand bien même le Conseil bloquerait les voies de commande sous des flots de règlements splendides, si ceux-ci sont présentés à la troupe comme autant d'édits annonciateurs de désastres imminents, ils ne sauraient engendrer que dépit ou panique. C'est un travail herculéen que d'administrer 250 000 fonctionnaires, mais les moyens du Conseil, de la C.F.P. et des ministères sont à la mesure de leur tâche. Point n'est besoin de boniments pour jeter de la poudre aux yeux des employés; il suffit de rappeler clairement et aussi souvent qu'il le faut à tous les responsables, du haut en bas de la hiérarchie, qu'il y va du bonheur de l'individu et que, du coup, il convient d'y mettre au moins le tact allant de pair avec de saines relations humaines. Le Conseil et la C.F.P. ont si largement misé sur le succès de leurs nouvelles directives qu'ils ne peuvent pas se permettre le luxe de voir la maladresse aboutir à un sabotage inadvertant.

Au risque de paraître incontinent et impudent il n'est peut-être pas faux de dire qu'au moment où le gouvernement ose enfin s'engager en profondeur dans la voie de l'information, le Commissaire continue à pousser son affaire dans cette même zone. Au cours de l'année passée, assisté de ses collaborateurs, il n'a en effet cessé, malgré les traditions nels atermoiements bureaucratiques, de maintenir son élan par la mise en œuvre de son programme-tripityque d'information. Le premier volet vise le grand public et prolonge l'œuvre entreprise dès l'entrée en fonctions du Commissaire, par la diffusion sur une grande échelle de dépliants et affiches, par des causeries, des interviews télévisées ou radiodiffusées, des tribunes téléphoniques, sans compter la participation à des colloques et des réunions de clubs sociaux, ainsi que bien d'autres « prestations » en public; toutes ces activités constituent un véhicule pratique



dans sa résolution de juin 1973, qui réaffirmerait les grandes idées-forces de la Loi sur les langues officielles.

Aux yeux d'administrateurs aussi non instruits que le Commissaire, il ne paraîtrait pas injuste de dire que les guides et manuels du Conseil, épais de centaines de pages d'articles à répétition truffés de diagrammes, d'organigrammes, (voire de cryptogrammes) et de l'indigeste Volapük informatique, ne jettent qu'une bien obscure clarté sur les projets d'Enhaut. Car, en vérité je vous le dis, au nom du bilinguisme à promouvoir, il semble bien que les experts de cet organisme, en cherchant à nous caser tous dans des cottes de mailles linguistiques qui se voulaient bien taillées, aient glissé sur la pente du tri-linguisme, inventant ainsi un sabir Conseil du trésor, un idiome érudit et étrange ressemblant à l'anglais (simulant aussi parfois le français) et faisant autorité, aux yeux des initiés, par son obscurité. Il faut, bien sûr, tout passer au peigne fin, mais certainement pas au point que ceux qui veulent comprendre finissent par s'arracher . . . les cheveux. Si le Conseil souhaite réellement faire impression par ses explications, ce ne serait pas inutilement perdre des « années-homme », des années-lumière, ni même la face, que de libeller en langage plus simple les manuels qu'il co-produit avec la Commission de la fonction publique. Déjà l'Organisation administrative des langues officielles (O.A.L.O.) a accouché d'un petit ana d'acronymes et même d'anagrammes : après O.A.L.O. et U.L.F., cette nouvelle vague d'initiales nous vaut, avec leurs biphones-ques variantes, des F.I.L.O., S.I.L.O. et E.C.L., sans compter pour couronner le tout, ce N.A.S. toujours premier au palmarès. Espérons que le grand dessin « informatif » de l'O.A.L.O. ne dégènera pas au point de nous astreindre à l'usage d'un lexique décodéur encore plus effrayant que le bon vieux épouvantail du « bilinguisme ».

Trêve d'hyperbole, tout amicale qu'elle soit ! On ne saurait oublier que l'O.A.L.O. a été conçue pour des gens dont l'interlocuteur privilégié est l'ordinateur, et il faut bien reconnaître que, s'il est suivi, le plan d'« information » extrêmement détaillé échafaudé par le Conseil du trésor devrait largement contribuer à éclairer la lanterne des profanes sur les problèmes linguistiques et leur résolution. Les séances d'information que le Conseil organise à l'intention de chaque ministère dans diverses régions, les consultations régulières qu'il tient avec les associations du personnel, les neuf « trousseaux » documentaires qu'il a confectionnées pour élucider les aspects essentiels de la loi et sa mise en œuvre, le bulletin de questions-réponses qu'il publie et, avant tout, sa volonté déclarée de faire flèche de tout bois pour arriver à toucher son public, voilà autant de raisons qui donnent à penser que les accords conclus en matière de langues officielles avec les employés seront à l'avenir des ententes ouvertes, négociées visière levée. Il reste à espérer que le Conseil se souviendra, dans la mise au point de ses techniques de pré-

méthodes employées et l'expérience qui s'en dégage. Elle doit enfin nommer deux « maîtres de programme », qui seront chargés de transmettre aux employés tous renseignements utiles concernant les cours et de garder le contact avec les autres organismes intéressés, ainsi que de faire écho aux opinions de la base.

En supposant que ces projets dépassent le stade des intentions, on peut espérer qu'ils donneront à la C.F.P. une chance réelle d'empporter la conviction des agents anglophones du secteur public, en leur faisant bien sentir qu'avec les cours de langue ils bénéficient, en sus des avantages sociaux admis, d'un privilège entièrement inédit et potentiellement enrichissant, dont ne jouissaient pas leurs aînés francophones il y a encore dix ans. Ce programme devrait aussi fournir des données systématiques sur les réactions des consommateurs, données qu'il aurait fallu rassembler et ordonner depuis des années. Consciente du fait que l'opinion publique conteste de plus en plus, et à juste titre, le bien-fondé des dépenses occasionnées par les stages de langue, les « doublures » des stagiaires et un taux de « mortalité scolaire » toujours élevé, la C.F.P. ne tardera assurément pas à tirer un parti constant de ces données pour modifier en conséquence ses programmes et méthodes d'enseignement.

La logique des choses et le mandat du Conseil du trésor imposaient que la majeure partie du fardeau de l'information concernant les langues officielles repose sur cette institution, c'est chose faite depuis déjà plusieurs mois. En mai 1973, la Direction des langues officielles, nouvellement promue et remaniée, mettait sur pied le Groupe de l'information, dont les neuf membres ont pour mission d'organiser et d'orchestrer une campagne d'information « totale » axée en priorité absolue sur la fonction publique. Ledit Groupe s'efforcera également de resserrer ses liens avec la C.F.P. et le Secrétariat d'Etat, de façon qu'enfin le gouvernement puisse présenter à ses employés une synthèse de sa politique linguistique, qui intègre désormais des éléments fondamentaux jamais mis en relation jusqu'alors, comme les exigences linguistiques des différents postes, les unités de langue française (U.L.F.) et les conditions, encore mal définies, régissant l'exercice, par les employés fédéraux, de leur droit à travailler dans la langue de leur choix.

Les efforts déployés d'emblée par le Conseil (et les premiers fruits ainsi récoltés) inspirent le respect, quand on songe à la minutie et à l'énergie qu'il a fallu pour énoncer « en clair » les intentions du gouvernement touchant les qualifications linguistiques. Les U.L.F. bénéficiaient déjà de la publication d'un précieux bulletin mensuel et de la sollicitude de toute maternelle d'un ou deux agents du Conseil lorsque celui-ci s'attela à la gigantesque tâche (qui devait l'occuper environ six mois à partir de mars 1973) de transcrire en règlements administratifs les principes fondamentaux posés en matière de langues par le Parlement

même elle n'approfondirait pas directement la connaissance de la Loi sur les langues officielles par le grand public, cette « série dramatique d'aide à l'apprentissage des langues » (intitulée « Tout l'monde parle français »), en mettant en vedette, et en parallèle, l'« authenticité » de la langue et de la culture québécoises pour l'éducation des étudiants anglophones de 7 à 77 ans et la « réalité » canadienne-anglaise correspondante (si tant est qu'on en trouve une) à l'intention des francophones, pourrait enfin ensoler la morne plaine de l'enseignement des langues secondes au Canada, par l'introduction, qui hier eût fait scandale, de quelques éléments de l'actualité canadienne. L'O.N.F. nous promet en outre des « films fixes, diapositives, bandes et brochures pour aider les professeurs » dans l'utilisation de cette série.

Il faut espérer que les deux réseaux de la Société Radio-Canada suivront le mouvement et sauront enfin rompre avec l'ennui et la tradition en faisant preuve d'un peu plus d'imagination dans l'interprétation mutuelle des deux solitudes canadiennes. La CBC a déjà fait de remarquables efforts en ce sens — trop essayés malheureusement — notamment avec sa série d'émissions « Adieu Alouette » (réalisée par l'O.N.F.). Un brin d'esprit créateur et un peu plus que ce courage par procuration, qui consiste à présenter des spectacles importés raillant les travers de la société américaine, il n'en faudrait pourtant pas plus à la société pour toucher plus efficacement les « masses » sur ce thème et pour se convaincre elle-même que l'éducation populaire n'exclut pas forcément la distraction.

En janvier 1974, la Commission de la fonction publique lançait un nouveau programme de communication à l'intention des fonctionnaires suivant des cours de langue (ou devant prochainement en suivre) et de ceux en stage de perfectionnement professionnel. Elle reconnaissait, au bénéfice de sa clientèle prioritaire (le personnel inscrit à ces cours), qu'« il faut que les fonctionnaires fédéraux soient suffisamment bien informés et motivés pour voir dans ce programme de formation linguistique ce qu'il est réellement, à savoir, une activité aussi enrichissante qu'attrayante de l'État, dont le but est de satisfaire les besoins en services bilingues de la collectivité nationale, tout en accroissant les compétences et le rendement des fonctionnaires eux-mêmes ».

Pour accomplir ces prodiges, la C.F.P. se propose de réaliser plusieurs choses : une brochure relatant « La vie à l'école » aux « élèves », un dépliant plus concis donnant un aperçu des cours de langue aux employés et au public, un journal mensuel bilingue (qu'émaileront sans aucun doute quelques joyeuses histoires de diplômés certifiés contents) et un certain nombre de projections audio-visuelles sur cette formation, notamment une série de dix-huit bandes vidéo-couleur, d'une durée de cinq minutes chacune, exposant toutes les facettes de ces cours, dans leurs principes, leurs finalités, les



missaire et ses collègues ne feraient qu'entretenir, en privé, des relations pragmatiques à la mesure d'adultes consentants.

Bien que les organismes centraux de l'exécutif proprement dit patinent encore, sur ce terrain, en ordre passablement dispersé, ils n'en sont tout de même plus à tous vouloir garder le but. Ce complexe du dragon, qui poussait chacun des protagonistes (au demeurant amis) à protéger aussi jalousement que le Graal leurs petites prouesses informationnelles, est enfin en passe de n'être plus que le poignant souvenir de la rivalité intestine qui mit aux prises les barons de la bureaucratie.

La nouvelle formule est souple, et les administrations centrales, grâce à un personnel et des programmes appropriés, se préparent enfin à servir chacune une clientèle bien définie. Les efforts du Secrétariat d'Etat, désormais déchargé de toute responsabilité à l'égard des employés fédéraux, ne brillent toujours pas par leur éclat; peut-être faut-il y voir la prudence d'un chat échaudé qui se souvient de l'époque où l'on enterrait les plus anodines vellétés de films et de publicité télévisée de peur de se mettre à dos ce public anglophone auquel précisément leur joyale lucidité aurait fait le plus grand bien.

Au cours des huit derniers mois, le Secrétaire d'Etat, qui s'est rendu en visite dans chacune des différentes provinces, n'en a pas moins tenu maintes conférences de presse et prononcé un certain nombre de discours fort utiles sur le thème des langues officielles. D'autres représentants de ce ministère ne sont d'ailleurs pas en reste : ils paraissent en public, participent à des colloques et conférences, assurent la liaison avec divers organismes et institutions, répondent aux questions du public et rencontrent régulièrement la presse.

Le Secrétariat d'Etat distribue en outre des brochures, rapports et communiqués sur les multiples aspects de son programme de promotion de l'enseignement des langues dans les provinces, sur les subventions qu'il accorde aux associations bénévoles et la coopération et l'aide technique qu'il prête aux milieux d'affaires, lorsque les uns et les autres veulent fonctionner dans les deux langues officielles. Puisant dans un service de documentation fort bien pourvu et aux sources de ses sections régionales, il diffuse également un mensuel allégrement écrit, intitulé *Les cahiers du bilinguisme/Bilingualism Review*; cette publication, actuellement tirée à 2 000 exemplaires, mérite une extension et une audience élargie, étant donné le rapprochement fécond qu'elle peut favoriser entre étudiants, professeurs et groupes de langue française ou anglaise à travers le pays.

L'Office national du film (qui fait rapport au Parlement par l'intermédiaire du Secrétaire d'Etat) a, lui aussi, rejoint le peloton des ex-lanternes rouges. Il annonçait, en mai 1973, la production d'une nouvelle série de films (20 en anglais, 15 en français) « destinés à faciliter aux Canadiens l'apprentissage de la langue seconde ». Quand bien

Parmi les autres facteurs qui mettent un peu plus la loi en odeur de sainteté chez les anglophones, citons la renaissance continue de la culture française au Québec et ailleurs, l'intérêt croissant dont témoigne le Canadien anglophone moyen pour l'enseignement vivant du français à ses enfants, l'extension (incontestée sur le fond) du réseau français de radio-télédiffusion à de nombreuses régions du Canada anglais, le net accroissement du nombre des Canadiens bilingues français-anglais (qui a augmenté de quelque 23 p. 100 entre 1961 et 1971, mais ne représente toujours que 13,4 p. 100 de la population), et, pour les Canadiens d'autres origines ethniques, le programme de subventions au titre du multiculturalisme, qui, quels que soient par ailleurs ses mérites, semble aussi avoir contribué à rassurer les groupes n'appartenant à aucune des deux communautés « orbitales », en leur prouvant que la Loi sur les langues officielles n'est en rien incompatible avec le respect de leur propre dignité culturelle.

En dépit de cette ambiance plus propice, les programmes fédéraux d'information sur le bilinguisme continuent d'aller leur train de sénateur. Bien qu'à regret, force est au Commissaire de constater que les espoirs qu'il fondait de voir naître un centre coopératif d'information regroupant tous les partis politiques, les principales associations du personnel, les organismes centraux de gestion et son propre bureau sont restés sans lendemain. Cet échec n'est pas à mettre au compte d'une quelconque mauvaise volonté de qui que ce soit, mais il découle, on le sent bien, de la difficulté même de l'entreprise, qui consistait à mettre sur pied une structure acceptable par tous pour la constitution et la mise en commun de matériaux d'information complémentaires. Et puis, il faut le reconnaître, il n'y a pas si longtemps encore, certaines institutions persistaient à tenir leurs projets et rêves d'arsenal publicitaire ou documentaire (films, pochettes et brochures) pour des secrets de défense nationale.

Est-il besoin de préciser qu'en proposant la création d'un tel centre, le Commissaire n'a jamais brigué, sur le terrain de l'information et non du renseignement, autre chose que l'oreille, et non l'oreiller, de la sagesse publique ? Tout simplement, il lui paraît raisonnable que les autorités chargées d'appliquer la même loi collaborent quelque peu intimement dans le partage de leurs idées et deniers; on voit mal en effet comment justifier devant le Comité des prévisions budgétaires en général la production de 36 films « doublons » sur l'enseignement des langues ou la « demande importante » dont il est question à l'article 9 (2) de la loi. A cause de toutes ses tentatives visant à prévenir un tel chevauchement onéreux dans les efforts, le Commissaire ose croire qu'aux yeux du Parlement, sa virginité constitutionnelle ne sera pas entachée. Par leur consentement mutuel à une consultation étroite avec les responsables gouvernementaux chargés de promouvoir la loi du Parlement, le Com-

*D. La lumière de l'information étendra-t-elle enfin la chaleur des passions ?*

Dans ses précédents rapports, le Commissaire déplorait l'indigence des efforts consentis par les pouvoirs publics pour expliquer à leur personnel et à l'ensemble de la population les tenants et aboutissants de la Loi sur les langues officielles, aussi bien dans ce qu'elle suppose que dans ce qu'elle n'impose pas. Pour avoir trop longtemps confondu prudence et paralysie, les autorités fédérales n'ont su dissiper la perplexité dans laquelle, plus de trois ans après l'adoption de la loi, baignait encore l'opinion publique face à des mythologies assimilant le « bilinguisme » à un génocide culturel, à des complotis anglophobes ou à quelque autre crime de lèse-humanité. Quoi d'étonnant que des chapons capons se fassent plumer le croupion !

Le Commissaire doute fort que les harangues qu'il a servies aux autorités pour les inciter à agir plutôt qu'à gémir aient réussi à délier un tant soit peu la langue de responsables aphones. En vérité, si conscient qu'il soit de ses propres péchés d'omission, il ne saurait encore succomber à la tentation de taxer le gouvernement d'abus d'audace ou d'imagination dans son information des citoyens et de ses propres employés quant aux nouveaux droits que leur garantit la loi. Certes, au cours de l'année écoulée, la justesse élémentaire de la loi a indéniablement commencé à laisser une trace dans la conscience collective, mais il semble bien que ce progrès soit davantage attribuable à l'apparition de certains facteurs dans notre milieu culturel qu'à une campagne d'information concertée et bien orchestrée par les organismes centraux chargés de promouvoir les langues officielles.

Au hasard de sa correspondance et de ses pérégrinations à travers le pays, le Commissaire a constaté chez le citoyen une tendance à envisager la loi avec davantage de sérénité. Devant les aspects concrets et patents de la réforme (qui constituent toujours la meilleure « information »), nombreux sont les Canadiens d'expression anglaise qui s'ouvrent à l'idée que l'égalité de nos deux langues officielles doit s'inscrire non seulement dans les textes, mais aussi dans la réalité quotidienne de l'administration fédérale. A force de voir et d'entendre de plus en plus de Français dans les services officiels, même les réticents semblent se faire à la dimension naturelle, ou tout au moins inévitable, que le bilinguisme institutionnel confère aux activités de l'Etat. On ne peut malheureusement soutenir que cette persuasion par l'action ait rencontré le même succès auprès des Canadiens de langue française, dont il faut bien constater que le scepticisme va grandissant. Car ils ont besoin, quant à eux, de voir, d'entendre et de pouvoir utiliser leur langue bien davantage au sein du fédéral pour se laisser convaincre par Ottawa de tenter, avec une foi toute pascalienne, le Pari...



p. 100 en 1968 et de 26,8 p. 100 en 1972. Pourtant, selon ces mêmes études, le pourcentage des demandes présentées par des candidats étrangers, le pourcentage des institutions de langue française a progressé dans une proportion plus grande au cours d'une période de temps presque similaire : il passe de 10,6 p. 100 en 1967 à 19,3 p. 100 en 1971. Les renseignements indiquent que le potentiel de main-d'œuvre francophone qualifiée pour les besoins de la fonction publique existe et cela dans nombre de domaines; il s'agit maintenant d'orchestrer le recrutement de manière à maximiser l'utilisation de ce réservoir. La Commission de la fonction publique essaie honnêtement, tout en prenant ses précautions, d'accorder une place plus équitable aux francophones. Elle mérite certes un appui plus franc et soutenu de la part des parlementaires et du public.

C'est au niveau intermédiaire et supérieur de la fonction publique que la participation des francophones apparaît la plus faible. Elle a, par contre, augmenté dans les catégories qui regroupent les fonctionnaires chargés de l'exécution. Certaines statistiques contenues dans les deux derniers rapports annuels de la C.F.P. sont de nature à renforcer ce jugement. En effet, de 1971 à 1972, la proportion de postes exigeant la connaissance du français seulement est passée de 7,3 à 14,8 p. 100 pour la catégorie du Soutien administratif et de 11 à 11,8 p. 100 pour la catégorie de l'Exploitation. Par contre, il y a recul dans les catégories Scientifique et Professionnelle et Administration et Service extérieur, où les proportions passent, respectivement, de 14,0 à 12,0 p. 100 et de 13,6 à 9,4 p. 100. Si cette tendance se perpétue au cours des prochaines années, il sera très difficile d'aboutir à une administration fédérale représentant, avec justice et réalisme, et à tous les niveaux hiérarchiques, francophones et anglophones.

Le gouvernement, en somme, peut encore déployer beaucoup d'efforts pour que les employés fédéraux de langue française se sentent pleinement intégrés dans un milieu de travail aussi fécond pour leur langue que pour celle de leurs collègues anglophones. En outre, il devra réaménager les structures d'accueil existantes de façon que le francophone désireux d'embrasser une carrière intéressante dans l'Administration fédérale ait la certitude qu'il ne lui faudra pas, au préalable, laisser sa langue au vestiaire. Les organismes gouvernementaux chargés de ces réformes ont manifesté beaucoup de bonne volonté. Le Commissaire attend maintenant qu'ils concrétisent cette dernière par des actes cohérents et efficaces. Il leur faudra, pour cela, faire preuve d'esprit inventif et de générosité pour faire disparaître la rancoeur des uns et dissiper les craintes des autres. Comme l'a déjà si bien dit Proust avec sa clarté toute sibylline : « il y a toujours moins d'égoïsme dans l'imagina-

Ainsi, les travaux du Groupe d'étude sur le bilinguisme ont démontré que la proportion de nominations de francophones à l'intérieur des programmes de recrutement visant les diplômés d'institutions post-secondaires a peu augmenté entre 1968 et 1972. Elle était de 21,4

arrière.

L'analyse des « progrès » réalisés dans le domaine du recrutement des francophones n'est pas de nature à déchaîner un fol enthousiasme. Au contraire, le Commissaire a parfois l'impression d'assister à la marche d'un cortège qui avancerait, à l'inverse de la stratégie de Mao Tsé-Toung, à la cadence d'un pas en avant, deux pas en

enfin une langue normale et effective de travail.

Enseignée, tant bien que mal, comme langue seconde, pour devenir aux détours débilissants de la traduction ou au rôle frustrant de langue principalement à cette condition que le français cessera d'être confiné ment, spécialement dans la région de la capitale nationale. C'est tion des francophones, à tous les niveaux, aura sensiblement augmentée sera une langue de communication interne utile lorsque la proportion des francophones équilibrée des deux groupes linguistiques. La langue française de statut des deux langues officielles ne pourra être atteinte sans une coûteuse, malgré ses joissances folkloriques et platoniques. L'égalité dans un harem sans femmes. Situation saugrenue quand même, et acquis leur diplôme de bilinguisme et en passe de devenir des satyres « pause-café », uniquement par des fonctionnaires anglophones ayant devenir (ce qu'il est déjà pour certains) un sabir fédéral parlé, à la création d'une fonction publique représentative des deux grandes communautés linguistiques. Sans francophones, le français risque fort de tion notable du recrutement de ces derniers la clef de voûte pour la des francophones reste cruciale. Le Commissaire voit dans l'intensification, et c'est bien là que le bât blesse, la question du recrutement

ailleurs.

L'ensemble des mesures préconisées plus haut, sans évidemment épuiser le sujet, constitue un préalable vraisemblable à la réalisation de la partie de la promotion de la langue française au sein de la fonction publique. Les réformes proposées ont pour objectif de créer un cadre propice à l'épanouissement du français. Elles pourront nécessiter un changement radical dans l'essence même de la bureaucratie. Une fois franchie cette étape de la création de structures d'accueil appropriées aux besoins et aspirations des Canadiens de langue française, il sera plus facile d'augmenter la proportion de francophones, tant unilingues que bilingues, qui se mettront au service de l'Etat fédéral à Ottawa et

tion, participation aux prises de décision et à la formulation de politiques, communications internes de nature individuelle). Sans cette interdance — qui ne doit pas suivre de trop loin — les fonctionnaires désireux de travailler en français seraient comme des convives affamés qui, faute de couteau idoine, resteraient bouche bée devant un plat d'huîtres appétissantes mais hermétiquement closes.

e) Parallèlement, il faudra que le gouvernement parvienne à assurer aux employés fédéraux une formation et un perfectionnement professionnels qualitatifs et quantitativement égaux dans les deux langues. Le Commissaire se réjouit, naturellement, des progrès promis pour 1975 par le président du Conseil du trésor. Mais il faudra que ce dernier, de concert avec la Commission de la fonction publique, opère un contrôle serré pour faire respecter cette promesse, car il y a encore loin de la coupe aux lèvres. La Commission, à la fin de 1972, pouvait offrir en français environ 30 p. 100 de ses cours. Toutefois, les cours organisés par la Commission ne représentent qu'une faible proportion des cours offerts dans l'ensemble de la fonction publique. Selon des statistiques recueillies par le Groupe d'étude sur le bilinguisme pour le Conseil du trésor, presque 80 p. 100 des cours offerts par les ministères et autres organismes n'étaient dispensés qu'en anglais en 1970-1971. Un problème connexe semble se greffer à cette faible proportion de cours donnés en langue française : beaucoup de fonctionnaires francophones préféreraient suivre les cours en anglais. Cette attitude confirmerait très bien l'état de sous-développement de la langue française dans le milieu de travail. Exerçant leurs activités professionnelles en anglais, sachant en outre que leur promotion dépend souvent de leur connaissance de l'anglais, nombre de francophones choisiraient de suivre des cours de formation dans cette langue. L'action des ministères et des organismes devra donc porter sur plusieurs fronts à la fois afin de sortir de ce cercle vicieux — le plus important étant certes celui de la revalorisation du français comme langue de travail afin de lui conférer une place et un prestige égaux à ceux de l'anglais.

La fonction publique doit, en somme, être organisée de manière à assurer le plein épanouissement du français comme langue de travail. Le Commissaire compte participer activement à cet effort de redressement du statut de la langue française. Ainsi, dans leurs études spéciales en cours, ses collaborateurs intensifient l'attention apportée à cette dimension fondamentale de la loi. Afin d'aider les institutions fédérales dans cette tâche, le Commissaire formulera dans le contexte de chaque organisme qu'il examine, les recommandations qui paraîtront utiles pour corriger les lacunes qu'il pourrait déceler dans le domaine de la



c) L'action de redressement en faveur de la langue française devra également porter sur la région de la capitale nationale. Dans le cadre du réaménagement administratif engendré par la résolution et les lignes directrices de juin 1973, il est essentiel que le nombre de postes unilingues français s'accroisse dans de très fortes proportions d'ici environ deux ans au maximum. Le Conseil du trésor, en tant que responsable de l'implantation de la politique de bilinguisme, devra sans doute fournir un schéma dynamique qui suscitera le recensement de postes unilingues français, même si les titulaires de ces derniers ne travaillent pas en français à l'heure actuelle. Il s'agit en quelque sorte de prévoir un processus continu de transformation des exigences linguistiques de ces postes.

Les ministères et organismes devront, de leur côté, procéder à des réorganisations administratives de nature à rendre viables ces postes. La plupart de ces derniers pourraient être regroupés dans les unités de langue française afin de leur assurer une certaine stabilité. Ces postes, en outre, devront être répartis entre les différentes catégories d'emploi et à tous les niveaux afin d'offrir aux francophones un éventail de possibilités de carrière dans leur langue à Ottawa.

Au besoin, le gouvernement devra envisager la possibilité de créer, dans la région de la capitale nationale et aux sièges des institutions fédérales, des secteurs suffisamment étoffés qui seraient réservés aux fonctionnaires pouvant travailler en français. Il ne s'agirait pas alors de mettre sur pied des unités administratives (divisions, directions ou ministères) qui fassent double emploi, en français et en anglais, mais bien plutôt de créer des unités complémentaires, les unes travaillant essentiellement en anglais et les autres essentiellement en français. Il y aurait alors des domaines d'activité qui seraient investis par l'une ou l'autre langue mais, au moins, cette compartimentation permettrait d'assurer une justice linguistique plus ferme, parce qu'enracinée dans une infrastructure solide. Le gaspillage d'une « ghettoïsation » parallèle serait d'ailleurs évité.

d) D'autre part, le gouvernement devra élaborer des directives administratives en vue d'accroître l'usage du français comme langue de travail et d'assurer aux francophones un milieu propice à leur épanouissement professionnel. Ces directives engloberaient l'ensemble des aspects se rattachant à la langue de travail d'un employé fédéral. Il faudra donc prendre des mesures non seulement pour régler les questions découlant des aspects statiques de la langue de travail (manuels, modes d'emploi, machines, communications internes de portée générale, bibliothèques, services destinés au personnel) mais encore celles qui ressortissent aux aspects dynamiques (régimes linguistiques des réunions, travail de créa-

anglaise. Il s'agit d'établir une certaine proportion de postes bilingues pour que la loi soit respectée à cet égard. Cette obligation envers les anglophones n'empêchera sûrement pas l'accomplissement du travail interne dans la langue des Tremblay — Jean-Noël ou Michel — au choix du fonctionnaire. Il faudrait en somme que, d'ici la fin de 1975 environ, la très grande majorité des employés fédéraux travaillant dans les bureaux régionaux au Québec fassent partie d'unités de langue française, résultat qui permettrait, pour ainsi dire, de considérer le Québec tout entier, en ce qui concerne les administrations régionales, comme une grande unité de langue française — le pendant, en quelque sorte, de la vaste « unité de langue anglaise » constituée par le reste du Canada. Cette grande unité de langue française comprendrait certaines unités de langue anglaise afin de permettre aux membres de la minorité linguistique de travailler en anglais, conformément à l'esprit de la loi. Ces unités de langue anglaise seraient soumises au même régime linguistique que les unités de langue française. Elles seraient par conséquent dotées d'une capacité bilingue pour assurer, lorsqu'il y a lieu, des services au public dans les deux langues officielles et être en mesure de recevoir des communications en français provenant d'unités interlocutrices.

De même, le reste du Canada comprendrait des unités de langue française dans les régions du pays où il existe une minorité francophone importante — c'est-à-dire au moins en Ontario et au Nouveau-Brunswick. D'ailleurs quelques unités de langue française existent déjà dans ces deux provinces, mais elles regroupent à peine 150 employés.

Une telle organisation aurait le mérite d'assurer à l'une et l'autre des deux langues officielles du Canada des assises solides dans les régions où elles sont prédominantes, tout en garantissant les droits de la minorité linguistique.

b) En outre, le français devrait être la langue de communication habituelle entre les bureaux régionaux situés au Québec et leurs sièges respectifs : de la sorte, ces derniers seraient fortement incités à étouffer leur effectif pouvant travailler en français pour communiquer avec leurs bureaux québécois. Venant de la base, ce mouvement de « francisation » des sièges — car il s'agit bien d'asseoir le français — s'accomplirait pour ainsi dire sous la pression de besoins réels. Cette perspective est d'autant plus intéressante qu'elle créerait, au niveau des sièges, un certain nombre de postes requérant la connaissance du français. Dans un ordre d'idées voisin, les secteurs de l'administration fédérale situés hors des sièges, qui ont des contacts avec les unités de langue française, devraient être en mesure de recevoir les communications de ces dernières en français, quitte à leur répondre en anglais, sans agressivité ni flagornerie, mais disons dans un climat de surenchère de l'amabilité entre francophones et anglophones.

Pour justifier cette lenteur à procéder à l'élargissement des unités de langue française, on pourrait apporter l'argument que toutes les énergies ont été mobilisées pour déterminer les exigences linguistiques des postes. Le Commissaire a déjà mentionné que cette phase constituait un préalable indispensable à la planification du développement du français comme langue de travail, car elle fournira au Conseil du trésor un recensement linguistique complet de la fonction publique. Toutefois, il est douteux que cette étape puisse déboucher immédiatement sur la mise en œuvre d'un plan précis pour rendre plus nombreuses, et cela à des niveaux de décision qui comptent, les unités de langue française et intensifier le recrutement des francophones désireux de travailler en français. En effet, les ministères et organismes semblent avoir recensé un nombre élevé de postes bilingues et « hermaprodites » comparativement au nombre de postes unilingues français. Dans ce cas, la réalisation de la partie de la résolution du Parlement portant sur la promotion de la langue française serait retardée, sinon lourdement hypothéquée, car elle ne favoriserait pas nécessairement une intensification du recrutement de Canadiens francophones tant unilingues que bilingues.

### 3. *Sentiments filiaux d'un parricide*

Si, sur le plan des réalisations concrètes, le bilan de l'année 1973 demeure encore très mince, il faut tout de même regarder vers l'avenir et essayer d'esquisser un plan d'action global qui permette à la langue française de s'affirmer dans les institutions fédérales. Le gouvernement parle depuis quelques mois de publier un tel plan; le Commissaire, écrit-avant à la mi-février 1974, ne serait nullement vexé si le gouvernement rendait caducs les propos qui suivent en divulguant son plan avant le dépôt du présent rapport. L'année 1974 doit être, sous peine de porter atteinte à la crédibilité de la loi, celle où le gros des énergies devrait être orienté vers la question du français langue de travail. Dans les lignes qui vont suivre le Commissaire entend proposer sans prétention une « stratégie » administrative afin que la Loi sur les langues officielles, quatre ans et demi après son entrée en vigueur, puisse être utilisée — comme elle aurait déjà dû l'être — en tant qu'instrument d'une pleine égalité linguistique.

a) Le premier objectif, qui pourrait être atteint dans un délai d'à peu près deux ans, est de faire du français la langue normale de l'administration fédérale dans ses opérations régionales au Québec (y compris dans les sociétés de la Couronne). Le Commissaire ne voit aucune contradiction entre cet objectif et la nécessité statutaire de servir, en anglais, la population anglophone du Québec et les voyageurs de langue



langue, certains proposent d'établir, à titre expérimental, un réservoir de fonctionnaires prêts à répondre aux besoins « bilingues » des ministères. Cette initiative pourrait, selon les promoteurs de l'idée, offrir des débouchés nouveaux aux fonctionnaires francophones. Bien que cette mesure puisse donner des résultats positifs, le Commissaire y voit également certains dangers. Un recours généralisé à cet artifice pourrait confiner les francophones à un rôle d'éternels intermédiaires. Il ne saurait en tout cas constituer la panacée au problème de la sous-représentation des francophones. Si la fonction publique est incapable d'intégrer pleinement et entièrement les francophones dans son tissu, la Loi sur les langues officielles restera amputée d'une partie vitale de sa signification.

Les solutions choisies pour permettre aux francophones de se sentir chez eux dans la fonction publique ne peuvent pas avoir un caractère marginal. Elles doivent être intégrées à l'ensemble de l'organisation bureaucratique. Dans cette optique, le Commissaire déplore la lenteur et les tâtonnements qui semblent paralyser le développement des unités de langue française. Cette inaction est d'autant plus inexcusable que l'expérience des U.L.F., entreprise depuis déjà au delà de deux ans, s'est généralement avérée bonne. Malgré certaines carences observées en cours de route, les résultats paraissent justifier l'extension et le renforcement des U.L.F. dans la fonction publique, en particulier dans la région de la capitale nationale.

Au chapitre des carences observées, la principale a été la difficulté, pour ces unités, de pouvoir communiquer en français avec les autres secteurs de l'administration fédérale. Le recensement et la désignation de postes bilingues devraient normalement créer un environnement beaucoup plus favorable et faciliter les communications en français entre les U.L.F. et les unités interlocutrices. Par ailleurs, il semble que les instruments de travail disponibles en français dans les U.L.F., malgré certains progrès annoncés en février 1974, soient encore insuffisants, principalement en ce qui a trait aux manuels d'administration, ouvrages de référence, imprimés d'ordinateur et notes de service diffusées à l'échelle du ministère.

Par contre, les aspects positifs sont nombreux. Le plus important est certes d'avoir fait disparaître l'appréhension que ces unités ne deviennent des espèces de ghettos et n'aient que peu d'effet sur leur milieu. Le Commissaire a été heureux de constater qu'au moins un groupe d'employés francophones, travaillant dans un ministère à vocation scientifique, a demandé que sa section de travail soit constituée en unité de langue française. De telles initiatives ont l'appui et la sympathie du Commissaire, qui encourage les fonctionnaires francophones à défendre leurs droits et à travailler à créer un milieu beaucoup plus favorable à leur épanouissement professionnel et humain.

débouchés pour ceux qui veulent travailler en français dans la bureaucratie fédérale demeurent assez minces.

Pour la période allant de janvier 1973 à la fin de juin 1973, on peut constater que, dans l'ensemble de la fonction publique fédérale, 7,4 p. 100 des nominations ont été faites à des postes exigeant une connaissance des deux langues et 11,5 p. 100 à des postes requérant la connaissance du français. Théoriquement, pour 18,9 p. 100 des postes (19,7 p. 100 en tenant compte de 0,8 p. 100 non précisé) la connaissance du français était exigée. Or, le pourcentage des francophones nommés s'établissait à 21,8. On peut donc dire que de nombreux francophones occupent, soit parce qu'ils le désirent, soit parce qu'ils n'ont pas d'autre choix, des postes unilingues anglais (5 p. 100 de ces postes).

Cette situation est encore plus marquée dans la région de la capitale nationale. En effet, pour la même période, 12,6 p. 100 des postes remplis exigeaient une connaissance des deux langues et seulement 3,4 p. 100 une connaissance du français. La proportion des postes unilingues anglais s'établissait, elle, à 78,9 p. 100. Théoriquement 16 p. 100 des postes (plus 5 p. 100 non précisés, soit 21 p. 100) exigeaient une connaissance du français. Pourtant, la proportion de francophones nommés s'élevait à 24,4 p. 100. Les francophones doivent, là encore, se tourner vers les postes unilingues anglais pour se frayer un chemin dans la fonction publique. Effectivement, 12,6 p. 100 des postes unilingues anglais ont été occupés, soit par choix, soit par nécessité, par des francophones dans la région de la capitale nationale au cours de cette période. Pour ce qui est des postes « hermaphrodites », le Commissaire souhaite que le gouvernement ne s'en serve pas comme d'un paravent, en collant généreusement cette étiquette à des postes déjà occupés par des anglophones, maquillant ainsi élégamment le nombre de postes accessibles, théoriquement, aux francophones.

Tant que la proportion de postes exigeant la connaissance du français uniquement ne s'accroîtra pas de façon très sensible dans la région de la capitale nationale, le Commissaire continuera à tirer la sonnette d'alarme, au risque de provoquer une douloureuse tempête d'osselets dans les oreilles de certains de ses interlocuteurs. Il suggérera en outre au gouvernement d'avertir en toute franchise les francophones que certains d'entre eux devront oublier leur langue s'ils veulent travailler pour « leur » gouvernement. Ce dernier ne pourrait être alors taxé d'escobar-derie.

Afin de pallier cette absence de structures d'accueil facilitant l'accès des francophones à la fonction publique, on a suggéré différentes solutions au sein des organismes responsables de l'implantation du bilinguisme. Ainsi, afin de répondre à la demande croissante de personnel pour remplacer les fonctionnaires qui devront suivre des cours de

revanche des bureaux bureaucratique, que les U.L.F. situées à Ottawa regroupent à peine 3 000 fonctionnaires (dont 1 200 sont au service du Bureau des traductions), soit environ 5 p. 100 du nombre total des postes : c'est là une base plutôt fragile pour les francophones désireux de travailler dans leur langue. Si cette situation ne changeait pas (les données disponibles au début de 1974 autorisent peu d'optimisme), le français, langue de travail, serait semblable à une belle femme grabataire au chevet de laquelle les doctes « linguocrates » resteraient impuissants.

Dans cette perspective, il serait assez difficile d'augmenter l'usage du français dans la fonction publique fédérale. Ainsi, la consolidation et l'élargissement des unités de langue française seraient retardés et la possibilité de travailler en français dangereusement compromise.

Le Commissaire sait bien que l'usage du français ne se limite pas aux seuls postes unilingues français. Les postes bilingues et ceux — hermaphrodites ? — où l'une ou l'autre langue peuvent être utilisées rendent également possible l'emploi du français. Toutefois, cela ne signifie pas nécessairement une représentation numérique adéquate des francophones au sein de la fonction publique. En effet, la nouvelle politique adoptée par le Parlement garantit aux unilingues le droit de concourir pour des postes bilingues. Or, comme tout le monde le sait, et les chiffres données plus loin sont là pour le prouver, les postes bilingues étaient par tradition la principale et souvent la seule voie d'accès à la fonction publique pour ces bilingues par nécessité que sont encore souvent les francophones. D'ores et avant, et de plus en plus, ils emprunteront cette voie en compagnie des unilingues, en grande majorité anglophones, étant donné la possibilité qu'a un unilingue de concourir pour un poste bilingue.

On peut poser comme hypothèse que les postes bilingues seront de moins en moins la chasse gardée des francophones. De nouveau, une faible proportion de postes « identifiés » comme unilingues français pose-rat un problème crucial. Les francophones devaient déjà emprunter un chemin très étroit pour parvenir à la fonction publique. Leur chemin ressemblera-t-il en fin de compte à une corde raide ? Le danger est réel. Si le gouvernement n'accorde pas rapidement la priorité à l'augmentation du nombre de postes unilingues français à tous les niveaux et ne les regroupe pas en unités de langue française, le Commissaire pourrait bien-tôt ne pas avoir d'autre choix que de procéder, en ce qui concerne la langue de travail, à l'autopsie de la réforme linguistique.

Certaines données établies par un service de la Commission de la fonction publique pourraient donner à réfléchir à ceux qui ne verraient dans le Commissaire qu'un aruspice d'opérette — rôle amusant, certes, mais qu'il ne revendique pas à tout prix. Elles démontrent que les



## 2. *Le miroir aux alouettes : Albertine disparue*

L'année qui se termine a suscité certains espoirs concernant la situation de la langue française à l'intérieur de l'appareil fédéral, notamment au chapitre de l'affirmation et de la reconnaissance administrative du droit, pour les fonctionnaires fédéraux, de travailler dans leur langue.

La résolution votée par le Parlement en juin 1973 engage nettement le gouvernement à prendre des mesures pour augmenter l'utilisation de la langue française à l'intérieur de la fonction publique. Certaines mesures spécifiques sont d'ailleurs définies dans cette résolution : augmentation du nombre d'unités de langue française, intensification du recrutement de francophones, mise sur pied de nouveaux programmes de formation en français et développement du caractère bilingue de la région de la capitale nationale. Le Parlement escompte que ces divers moyens contribueront à la réalisation « de l'objectif visant à assurer la pleine participation à la fonction publique des membres des collectivités anglophone et francophone ». Une conséquence intéressante de la résolution réside dans l'orientation nouvelle prise par le gouvernement pour essayer de rendre la fonction publique bilingue, en la structurant selon les exigences linguistiques des postes. Ce programme aura en tout cas le mérite de fournir, pour la première fois, des données sur la participation qualitative et quantitative des francophones à l'administration fédérale. Evidemment, l'application de cette nouvelle politique devra être très étroitement surveillée, si l'on espère en obtenir des résultats positifs. Plusieurs embûches sont d'ores et déjà perceptibles.

En effet, les lignes directrices du Conseil du trésor sur les exigences linguistiques des postes sont généralement explicites quant aux critères et à la procédure de recensement et de désignation des postes bilingues; toutefois, il n'en va pas de même pour le recensement des postes unilingues et en particulier unilingues français. Dans ce cas, les trois critères retenus pour recenser ces postes semblent trop restrictifs : peuvent être « identifiés » comme unilingues français les postes des unités de langue française (U.L.F.), ceux dont les titulaires traitent avec le public de langue française (ou ne supervisent que des employés occupant des postes où le français est essentiel, ou n'assurent des services internes qu'à de tels employés) et, finalement, cas vraiment particulier, ceux pour lesquels la connaissance du français serait exigée en vertu d'accords internationaux.

Cette procédure laissant aux ministères le loisir de ne recenser qu'une très faible proportion des postes comme unilingues français, surtout dans la région de la capitale nationale, on pouvait redouter que, dans cette région, le nombre de postes unilingues français n'équivaille qu'à peu près au nombre de postes compris dans les unités de langue française déjà créées. Rappelons, pour dissiper toute crainte d'une

« ( . . . ) les fonctionnaires devraient pouvoir, en règle générale, et sujet aux dispositions de la Loi sur les langues officielles relatives aux services à donner au public, accomplir leurs fonctions au sein du gouvernement du Canada dans la langue officielle de leur choix ».

Afin d'atteindre cet objectif, le Parlement a, dans cette même résolution, approuvé que le gouvernement prenne diverses mesures pour « augmenter l'utilisation de la langue française à tous les niveaux de la fonction publique ».

Donc, sur le plan des principes, la politique du Parlement et du gouvernement, aussi bien que la loi, visent à l'égalité des deux langues à l'intérieur de l'appareil fédéral. Cela signifie que la fonction publique fédérale doit être dans son essence à la fois francophone et anglophone. Un bilinguisme authentique implique la coexistence de deux langues fortes et dynamiques, sans que l'une nuise à l'épanouissement de l'autre. Ce bilinguisme réel et réaliste aura été atteint lorsque, d'une part, le français sera devenu la langue normale de travail de l'administration fédérale au Québec, et lorsque, d'autre part, il sera une langue de travail reconnue et largement utilisée de cette même administration dans la région de la capitale nationale.

Pour que le français soit une langue de travail de l'administration fédérale, il est indispensable que son assise soit solide et inébranlable, c'est-à-dire qu'en un endroit sa prédominance soit telle qu'elle ne laisse aucun doute quant à sa force et à son utilité. Cet endroit, c'est le Québec, et le Commissaire a précisé à plusieurs reprises qu'il était vain de songer à faire du français une langue de travail utile de l'administration fédérale sans l'asseoir au préalable dans la réalité québécoise. Certes, les francophones à l'extérieur du Québec peuvent jouer un rôle dans la promotion du français, mais ce rôle est impensable sans l'existence d'un Québec viscéralement français.

Même si le gros des efforts doit porter sur le Québec et sur la région de la capitale nationale, il ne faudra pas négliger d'autres lieux, plus particulièrement là où les institutions fédérales ont leur siège et là où des employés fédéraux des deux langues travaillent, que ce soit dans des bureaux régionaux, dans des bureaux locaux, ou encore à l'étranger. Le Commissaire se propose donc, dans les lignes qui suivent, d'examiner brièvement la place de la langue française à l'intérieur de l'appareil fédéral. Il tente d'abord de dépister tout état morbide qui fait obstacle à la réalisation des réformes nécessaires. Il propose ensuite les éléments d'une médication aussi robotique que possible et, finalement, étudie le problème posé par le recrutement de francophones.

choix — celui de devenir bilingues ou de demeurer unilingues — qu'ils ne pourront trancher.

Cette situation — peut-être équivoque pour certains — pourra être évitée si le gouvernement laisse clairement entendre que le nouveau principe du mérite se rattachant aux aptitudes linguistiques n'est qu'une mesure transitoire devant conduire à une reconnaissance réaliste et rentable des avantages du bilinguisme individuel. De la sorte, parents-contribuables et professeurs, déjà inquiets de la faible motivation de trop de nos jeunes pour acquérir une deuxième langue, auront la certitude que le jeu bilingue, dans les écoles, en vaut bien la chandelle.

C. A la recherche du temps perdu : exposé pseudo-proustien sur la situation des employés fédéraux de langue française

# 1. Les Petites Madeleine de maman : rappel d'un point de vue

Le Commissaire, dans son deuxième rapport annuel, constatait euphémiquement que le droit de travailler en français dans l'administration fédérale n'était encore qu'une « voie étroite vers la terre promise ». Depuis, il a signalé à maintes reprises, au risque de jouer aux Cassandre, le pièinement des réformes dans ce domaine et exhorté le gouvernement à mettre en œuvre un train de mesures susceptibles de valoriser la langue française à l'intérieur des institutions fédérales. Ces suggestions comprenaient notamment un recrutement beaucoup plus intensif de francophones, l'accroissement et le rehaussement des unités de langue française, la création d'outils de travail dans les deux langues et la diffusion d'un ensemble de directives concernant le droit des employés fédéraux à travailler dans la langue officielle de leur choix.

Ces appels sans doute lassants, sinon inlassables, en faveur d'une accélération des réformes en matière de langue de travail se fondent sur la Loi sur les langues officielles. En effet, le principe de l'égalité du français et de l'anglais y est inscrit à l'article 2, qui reconnaît les droits afférents à la langue de travail. Il incombe au Commissaire de veiller de près à la réalisation de cette dimension vitale de la loi de façon que ce droit de travailler dans l'une ou l'autre des deux langues officielles ne finisse pas par devenir une éternelle potentialité incapable de s'actualiser. Car, et il faut le dire sans détours, les vœux, pourtant prometteurs et clairs, que le Parlement et le gouvernement ont exprimés en cette matière sont demeurés, jusqu'ici, à peu près lettre morte. Reste maintenant à voir quel sera le sort de la résolution sur les langues officielles adoptée par le Parlement en juin 1973.



Personne n'ignore que « Les nominations à des postes de la Fonction publique... doivent être faites selon une sélection établie au mérite, ainsi que le détermine la Commission... » (article 10 de la Loi sur l'emploi dans la fonction publique). Antérieurement à la résolution, la Commission de la fonction publique reconnaissait déjà les aptitudes linguistiques comme élément du mérite dans la sélection des candidats aux postes bilingues. La résolution a confirmé cette pratique et l'a même élargie en énonçant que désormais « les concours aux postes bilingues seront ouverts tant aux candidats bilingues qu'aux candidats unilingues qui ont officiellement indiqué leur volonté de devenir bilingues » (principe 4).

Ce quatrième principe signifie que la Commission de la fonction publique admet maintenant aux concours pour des postes bilingues non seulement les candidats possédant déjà une connaissance des deux langues mais également ceux qui, tout en étant unilingues, expriment officiellement leur volonté de devenir bilingues. En d'autres termes, la connaissance des deux langues ou le désir d'acquiescer cette connaissance constitue indifféremment un élément du mérite dans la sélection des candidats aux postes bilingues. Candidats bilingues et unilingues-consensants se retrouvent sur un pied d'égalité et, en théorie, aucun n'est avantagé par rapport à l'autre.

La résolution, en reconnaissant la volonté officiellement exprimée d'un candidat unilingue de devenir bilingue comme élément du mérite, a donc élargi la portée du principe du mérite se rapportant aux connaissances linguistiques requises. Il n'entre pas dans les visées du Commissaire de mettre en doute le bien-fondé de cette décision. Il sait trop bien que ce compromis fut en partie le résultat de laborieuses négociations entre le gouvernement et les syndicats de ses fonctionnaires. Mais il ose croire que le gouvernement qui, avec l'appui du Parlement, fait preuve de magnanimité à l'égard des candidats unilingues-consensants saura reconnaître que ce geste a été posé dans une optique à court terme et qu'il ne saurait tenir lieu de politique à long terme.

Le gouvernement fédéral a versé aux provinces 300 millions de dollars pour améliorer l'enseignement des langues secondes (ainsi que pour l'enseignement en langue minoritaire); il a investi d'autres millions dans ses propres écoles de langue pour rendre bilingues bon nombre de ses fonctionnaires. Cela est louable et conforme à l'esprit de la loi. Mais, pour être logique avec lui-même, le gouvernement doit admettre que ces investissements visaient un but précis. Ce but n'était sûrement pas de dissuader quiconque d'apprendre une deuxième langue, et la résolution, par son énoncé du principe du mérite, n'a d'ailleurs pas cherché à créer cette impression. Pourtant, telle pourrait bien être la perception qu'en tireront beaucoup de nos enfants et futurs fonctionnaires. Il ne faudrait pas que ces derniers, tel l'hane de Buridan, soient confrontés avec un

Le troisième principe de la résolution énonce qu'« une connaissance du français et de l'anglais est un des éléments constitutifs du mérite dans la sélection des candidats aux postes bilingues ». Pour le commun des mortels, le libellé de ce principe semble suffisamment clair : un candidat bilingue qui concourt pour un poste bilingue satisfait à un des critères de sélection. Ce principe est d'ailleurs conforme à la politique de la Commission de la fonction publique ainsi que le reconnaissent les lignes directrices du Conseil du trésor : « Tel que le requiert la Loi sur l'emploi dans la Fonction publique, la connaissance et l'usage et du français et de l'anglais sont deux des éléments de mérite dans la sélection des candidats aux postes bilingues ».

d) *Qu'on est bien... dans la tour de Babel*

S'il est exact que la Loi sur les langues officielles comporte quelques clauses « géographiques » relatives à la langue de service, l'on se souviendra peut-être que, dans son deuxième rapport annuel, le Commissaire avait attiré l'attention sur le fait qu'il a toujours réussi à allier souplesse et efficacité dans l'application de la loi en n'ayant recours qu'aux prescriptions « non géographiques » des articles 9 et 10, c'est-à-dire les notions de « demande importante » et de « possibilité », et, en ce qui concerne les voyageurs, le postulat d'une demande généralisée à l'échelle du pays. Étant donné la forte dimension géographique introduite par ces critères, le Commissaire juge opportun de mettre les ministères et le Conseil du trésor en garde contre les chausse-trappes de la « démarcomanie bilingue » sur le terrain des langues, aussi bien dans la prestation de services que pour la communication interne. Afin de respecter pleinement l'intention du législateur, le Commissaire a, quant à lui, toujours interprété les clauses géographiques de la loi dans leur sens le plus large, et il convie tous les intéressés à faire de même pour appliquer les directives du Conseil. Au départ, les « zones bilingues » ainsi délimitées par le Conseil peuvent assurément constituer des points de repère fort pratiques, mais elles ne sauraient satisfaire ou se substituer aux garanties territoriales plus larges contenues dans la loi.

ainsi que sur les postes de cadres et les postes de services internes. Les directives prévoient en effet que la surveillance et les services internes seront assurés en français dans les régions francophones du Canada, en anglais dans les régions anglophones et dans les deux langues là où celles-ci sont d'emploi relativement courant — soit, selon les directives, la région de la capitale nationale, certaines parties de Montréal, certaines autres parties du Québec, certaines parties du Nord et de l'Est de l'Ontario, et certaines parties du Nord et de l'Est du Nouveau-

La troisième mise en garde vise à rappeler que les lignes directrices énoncent, à l'intention des ministères, certains critères géographiques pour le recensement de leurs postes bilingues. Les premiers, qui concernent les postes de services au public dans les deux langues officielles, sont identiques à ceux qui figurent dans les articles 9 et 10 de la loi : région de la capitale nationale, bureaux centraux ou sièges d'institutions extérieures à cette région, d'éventuels districts bilingues, auxquels s'ajoutent toujours bien entendu les voyageurs et les notions de « possibilité » et de « demande importante ». D'autres portent sur l'usage des deux langues officielles dans le travail à l'intérieur de la fonction publique,

### c) *Les murs de Jéricho*

Seconde mise en garde : aux termes des directives, c'est aux ministères eux-mêmes qu'il appartient de prendre les deux mesures fondamentales, d'abord en recensant les postes bilingues, puis en fixant la date d'effet de leur désignation. Le Commissaire espère que c'est avec le plus grand soin et l'attention la plus scrupuleuse que le Conseil consultera l'usage de ces prérogatives par les ministères. Tout en demandant instamment que tout soit fait pour fournir au public les services que lui garantit la Loi sur les langues officielles, il continue de croire que les fonctionnaires unilingues des deux groupes linguistiques sont aussi en droit d'attendre une protection raisonnable à l'égard de leur poste. Il ne faut surtout pas « sur-recenser » et verser dans la catégorie « bilingue » des postes qui n'ont rien à y faire, car une telle « surenchère catégorielle » pourrait engendrer toute une série de problèmes nouveaux, dont un affaiblissement du français en tant que langue prédominante au Québec. Toute catégorisation hâtive ou abusive, y compris aux fins de remaniement du personnel ou dans quelque autre but sans rapport avec la politique linguistique, risque en effet de retarder, voire de reculer, la réalisation de cette politique en lui prêtant une dimension opportuniste, outrancière ou inhumaine.

### b) *La multiplication des pains*

du Parlement et les lignes directrices du Conseil du trésor. Il va de soi que ces deux documents, ainsi qu'ils le déclarent, visent à faire appliquer les principes de la loi. Mais en tout état de cause, chaque fois que le Commissaire considère que leur mise en œuvre aboutit à une infraction à la lettre ou à l'esprit de la loi, ou encore qu'elle transgresse l'intention du législateur, il reste de son devoir, en vertu de cette même loi, de le signaler et de formuler les recommandations nécessaires.



Ainsi donc, résolution et directives se voulaient en harmonie avec la loi et de nature à faciliter son application. Il n'en reste pas moins que, dans certains milieux, on veut y voir comme une modification apportée à la loi. De fait, même un ministre de la couronne devait affirmer, dans un message, par ailleurs fort utile, qu'il adressait à son personnel, que l'application de la Loi sur les langues officielles avait créé un besoin évident de remaniements, à tous les échelons de la fonction publique; en effet, disait-il, « plusieurs documents importants sont venus en préciser, en compléter ou en modifier certains articles ». Et le ministre de présumer comme preuves des « modifications » de la loi la résolution

législateur et la bonne marche de la loi.

sonnes dont en fin de compte dépend la réalisation des intentions du législateur et la bonne marche de la loi.

responsables que par les simples fonctionnaires, car ce sont là les personnes plus précises de l'application des principes de la loi tant par les changements. Elles se bornent plutôt à reconnaître l'importance d'une définition plus précise de l'application des principes de la loi tant par les changements. Elles se bornent plutôt à reconnaître l'importance d'une définition plus précise de l'application des principes de la loi tant par les changements. Elles se bornent plutôt à reconnaître l'importance d'une définition plus précise de l'application des principes de la loi tant par les changements.

En premier lieu, il doit être clair que ni la résolution parlementaire, ni les lignes directrices du Conseil du trésor ne visent à modifier la Loi sur les langues officielles, et qu'en conséquence elles n'y ont rien changé. Elles se bornent plutôt à reconnaître l'importance d'une définition plus précise de l'application des principes de la loi tant par les changements.

*a) N'ébréçons pas les tables de la Loi !*

2. *Quatre mini-mises en garde d'un mauvais coucheur*

Le Commissaire ne prétend pas se livrer dans les quelques paragraphes qui suivent à une analyse exhaustive de ces directives. Tenter la chose quelques semaines à peine après la mise en place d'un appareil administratif fort complexe pour leur exécution (à l'intention de 250 000 personnes) semble prématuré, voire téméraire; il faudra donc attendre un an avant de se prononcer sur leur justesse et leurs vertus pratiques, car c'est au vin qu'on juge la treille. Peut-être lui sera-t-il néanmoins permis de hasarder, à leur propos comme à celui de la résolution, quatre remarques qui lui paraissent mériter l'attention, avant même que le vin soit tiré.

Ainsi, en cherchant à résoudre les nombreux problèmes concrets posés par la mise en pratique de la résolution, ces lignes directrices clarifient bien des points : le recensement des postes bilingues quant aux principes et modalités, celui des postes unilingues, les conditions de candidature aux postes bilingues et unilingues mis au concours, les cours de langue, l'administration, le rôle de la Commission de la fonction publique, sans oublier les droits des titulaires unilingues de postes bilingues, des employés présentant de longs états de service et des fonctionnaires nouvellement recrutés.

cours à des postes « bilingues » sont néanmoins ouverts aux candidats unilingues qui ont officiellement indiqué leur volonté de devenir bilingues (principe 4).

Et, dira-t-on, qu'advient-il alors du *titulaire* unilingue d'un poste désigné comme bilingue ? Il a le choix : se « bilinguiser » aux frais de l'Etat pendant le travail en suivant des cours de langue, ou être muté à un poste unilingue « dont le salaire maximum se situe au moins à une augmentation statutaire près du poste qu'il occupait précédemment ». En fait, il a même une option supplémentaire : s'il refuse la mutation proposée, il peut rester à son poste bilingue sans pour autant apprendre la langue seconde; c'est alors au contribuable qu'il incombe de régler la facture de la mise en œuvre d'autres moyens (la nomination d'un second employé à plein temps, parfois) pour assurer le respect des droits linguistiques que la loi reconnaît aux citoyens (principe 6).

De plus, tout employé ayant dix années de service ininterrompu dans la fonction publique jusqu'au 6 avril 1966 et ayant poursuivi sa carrière sans discontinuer depuis cette date a le droit de poser sa candidature à un poste bilingue sans avoir à exprimer son intention de devenir bilingue (principe 7). Les unilingues n'appartenant pas à la fonction publique peuvent également faire acte de candidature à des postes bilingues, à condition toutefois d'indiquer leur volonté d'apprendre la langue seconde (principe 8).

De prime abord, il semble bien que ces derniers principes représentent un pas de géant sur place. En fait, ils pourraient bien se révéler la source d'infractions directes à la loi, s'ils étaient appliqués avec maladresse. Prenons l'exemple d'un poste qui est désigné comme bilingue, parce qu'il appartient à une catégorie tombant sous le coup des articles 9 ou 10 de la loi (prestation de services à la clientèle d'un ministère donné ou aux voyageurs); si, usant de la résolution, le titulaire choisissait de rester à son poste, il ne semblerait pas impossible qu'une infraction à la loi s'ensuive. De toute évidence, l'intention du gouvernement était de faire appliquer la loi, mais il tenait également à protéger les droits de certains employés.

Il fallait, non moins évidemment, compléter la résolution pour prévenir les entorses involontaires à la loi, et c'est là qu'interviennent les lignes directrices du Conseil du trésor. On appelle parfois la solution retenue « système des postes parallèles »; lorsque, dans les circonstances précitées, un employé unilingue occupe un poste désigné comme bilingue, le ministère dont il relève est tenu de prendre « les dispositions administratives qui s'imposent » afin de satisfaire aux exigences linguistiques dudit poste. C'est le Conseil du trésor qui fournit les crédits et années-homme nécessaires à l'application de ces mesures. De cette manière, le Conseil répond à l'une des questions suscitées par les « diverses modalités » dont parlait son président en présentant les directives.

de s'arrêter sur quelques points qui peuvent présenter des difficultés ou qui invitent à quelques commentaires.

### 1. *Un Nouveau Testament ?*

L'enveloppe statuaire des principes généraux du Parlement en matière de langues, c'est la Loi sur les langues officielles. La résolution de juin 1973, pour sa part, énonce ces principes, mais en termes moins formalistes que ne l'exige un texte législatif, et les lignes directrices du Conseil du trésor représentent un essai explicatif, en forme de mode d'emploi, de la politique linguistique officielle. Le président de l'institution les présentait ainsi : « L'expérience m'a appris que les fonctionnaires, dans leur ensemble, ont donné leur appui aux objectifs de la politique des langues officielles du gouvernement. Toutefois, tant que les diverses modalités de la politique n'avaient pas été explicitées, certains étaient préoccupés par les effets qu'aurait sur eux la politique une fois mise en œuvre ainsi que par les dispositions précises qui allaient être prises pour les fonctionnaires unilingues titulaires de postes bilingues ou désireux de le devenir. »

La résolution parlementaire est brève, claire et nette. Elle rappelle que la Loi sur les langues officielles reconnaît au français et à l'anglais « un statut, des droits et des privilèges égaux quant à leur emploi dans toutes les institutions du Parlement et du Gouvernement du Canada » et que tout ministère et organisme fédéral est tenu de fournir, en conformité avec la loi, ses services dans les deux langues officielles. Puis elle énumère et sanctionne neuf principes pour la réalisation de ces objectifs avant d'approuver un certain nombre de mesures visant à étendre l'emploi du français comme langue de travail dans l'administration fédérale. Cette seconde partie de la résolution fera l'objet d'une section ultérieure du présent chapitre.

Les neuf principes énoncés dans la première partie de la résolution portent essentiellement sur la langue de service, en partant des postes plutôt que des personnes. Il s'agit, dans un premier temps, de recenser ceux qui, « dans les circonstances actuelles », exigent l'usage du français et de l'anglais, et, dans un second temps, de les désigner comme bilingues. Le recensement s'est achevé le 31 décembre 1973; la désignation, elle, s'échelonnera sur cinq ans à partir de cette date (principes 1 et 2). Comme de raison, dans le cas d'un poste bilingue, il est admis qu'une certaine connaissance du français et de l'anglais est un élément de mérite dans la sélection des candidats (principe 3). Moins logiquement, mais peut-être parce que c'est actuellement nécessaire (ainsi que le Commissaire le soulignait dans son premier rapport annuel), les con-



Le Commissaire ne peut quand même pas prôner les fuites journalistiques comme la voie normale de réforme. Mais il constate que l'indiscrétion qui l'occupe et la plainte qui en découle ont eu, tout compte fait, trois conséquences bénéfiques. Pour commencer, le coup de théâtre que fut la publication de ces études a indéniablement renforcé la main de ceux qui, à Ottawa, souhaitaient voir le gouvernement faire preuve d'une plus grande audace et d'imagination afin de traduire la Loi sur les langues officielles, de façon précise et concrète, par une véritable égalité linguistique. Ils n'étaient pas rares déjà, ce n'est que justice de le signaler, ceux qui dès lors travaillaient en ce sens au sein du Conseil, de la Commission de la fonction publique et d'autres organismes associés à la mise en « vigueur » de la loi. Ensuite, en arguant du devoir d'ombudsman qui incombe au Commissaire aux termes de l'article 25, la plainte a hâté de plusieurs mois le démarrage de l'étude que celui-ci projetait d'entreprendre du Conseil. Pour finir, grâce à ce contrôle régulier qu'il exerce sur les suites données par le Secrétariat du Conseil du trésor (et en définitive, par la C.F.P.) à ses recommandations, le Commissaire met en branle un processus de surveillance permanente en institutionnalisant le mécanisme mis en place au nom du Parlement. Cet examen continu des mesures prises par les organismes centraux de gestion pour appliquer la loi fera écho au souci fondamental qui ressort de la plainte, quant au statut et aux chances de promotion des Canadiens d'expression française au service de leur Etat fédéral.

## B. Les Dix Commandements, moins un

*(La Résolution du Parlement du 6 juin 1973 et les lignes directrices du Conseil du trésor)*

Suite à l'adoption par le Parlement, le 6 juin 1973, d'une résolution réaffirmant les principes de la Loi sur les langues officielles, le Conseil du trésor rendait publiques, le 29 juin, ses lignes directrices sur les exigences linguistiques des postes au sein de la fonction publique fédérale. Ces lignes directrices reprenaient, dans leur ensemble, les neuf principes énoncés par le président du Conseil dans une déclaration faite le 14 décembre 1972, tout en tenant compte des vœux récemment exprimés par le Parlement.

Au chapitre III du présent rapport, dans le compte rendu de l'étude du Conseil du trésor réalisée par son bureau, le Commissaire soulève certaines questions inspirées par les principes de décembre 1972. Etant donné la concordance de ces principes et des directives de juin 1973, il renvoie le lecteur à cette étude et se contente, dans les pages suivantes, de faire un rapide tour d'horizon des lignes directrices du 29 juin et

1973, car le Commissaire tenait dans l'immédiat à mobiliser tout le personnel voulu pour l'étude du Secrétariat du Conseil du trésor.

Cette institution se trouvait être l'organe central de gestion commanditaire des études « enfuites » et elle commençait précisément à jouer un rôle clé dans l'application de la loi au sein de la fonction publique. Le Secrétariat se prêtait d'autant mieux à une étude, dont il constituait alors une cible en quelque sorte idéale, qu'il était fort perméable aux idées de l'extérieur en cette période de gestation de son nouveau groupe des langues officielles. Ainsi, il devenait possible de tirer le parti maximum de la plainte reçue, en s'en servant comme d'un outil de réforme, si, d'aventure, les carences présumées étaient prouvées. Dans son deuxième rapport annuel déjà, le Commissaire avait brossé un rapide tableau des principales embûches semant le chemin des unités de langue française, l'un des gros points noirs soulevés par la plainte. Mais, dans une optique beaucoup plus large, puisque le Secrétariat du Conseil venait d'être investi de toute autorité (y compris sur les cordons de la bourse) pour l'application de la loi en matière de langue de service et de langue de travail, le Commissaire jugeait que son rôle dans l'instruction de cette affaire l'amenait aussi à vérifier si cette administration avait l'imagination et la volonté pour « faire ce que devait ».

Signifions pour mémoire que le 13 octobre, c'est-à-dire cinq jours avant que la plainte ne lui parvînt, le Commissaire avait officiellement prié le Secrétaire du Conseil de lui faire tenir *in extenso* les seize volumes regroupant les études confidentielles en question, ce à quoi le Secrétaire avait aussitôt accédé en précisant qu'il transmettrait ces documents dès que le Commissaire et ses adjoints, momentanément plongés dans la préparation de leur deuxième rapport annuel au Parlement, auraient le temps de s'y consacrer. Pour l'heure, le Commissaire estimait en effet que nonobstant l'importance à long terme de ces études, elles ne sauraient prendre le pas sur la nécessité immédiate de rendre compte au Parlement en temps opportun. Il n'aurait pas été possible alors, vu le délai et le nombre limité d'agents disponibles, d'analyser sérieusement les seize études et d'établir un diagnostic mûrement réfléchi sur leurs conclusions, dans le deuxième rapport annuel.

Eu égard au rôle exceptionnel de cerveau directeur dévolu au Conseil, le Commissaire publie dans leur entier, au chapitre III du présent rapport, les résultats de l'étude spéciale dont cet organisme a fait l'objet, même si une frange de l'activité ainsi « couverte » déborde de quelques mois la date limite du 30 septembre 1973, que le Commissaire avait lui-même fixée à la collecte de l'information sur le suivi, désormais coutumier, des recommandations. Il est fait état, un peu avant dans la partie de ce même chapitre intitulée *L'entente cordiale* . . . , de quelques remaniements ultérieurs intervenus au Conseil et à la Commis-

sion de la fonction publique.

de près une situation qui risquait « de conduire . . . à un échec radical de toute la politique de bilinguisme du gouvernement fédéral ». La publication des morceaux choisis de ces études et de leur analyse se poursuivait six jours d'affilée.

Ce n'était pas là, pourrait-on dire, plainte de tout repos. Outre la petite difficulté qu'il y avait à protéger, ainsi que l'exige la loi, l'anonymat du plaignant (tous les éditoriaux du *Devoir* étant signés), il restait au Commissaire et à ses adjoints à dépouiller un dossier d'environ 5 000 pages, dont une bonne part était, aux yeux du gouvernement, des documents « volés », et à essayer d'en tirer au plus vite des conclusions franches et constructives.

D'entrée de jeu, et après une première étude du dossier, le Commissaire et ses collaborateurs décidèrent de concentrer leur recherche sur la question fondamentale posée par la plainte : « L'égalité linguistique au Canada : réalité ou mythe ? ». Aussi firent-ils porter le gros de leurs efforts sur un réexamen systématique et à long terme de trois organismes centraux (le Bureau des traductions du Secrétariat d'État, la Commission de la fonction publique et le Secrétariat du Conseil du trésor), où la mise en œuvre de réformes peut-être nécessaires permettrait de promouvoir, avec les meilleurs résultats, l'égalité linguistique dans les quelque 180 institutions fédérales. Cette décision, qui « cadrerait » bien avec les études projetées ou en cours, puisque les services du Commissaire procédaient justement à une enquête sur les deux premières de ces administrations, hâta en revanche l'examen dont le Conseil du trésor devait faire l'objet.

Au moment où la plainte était enregistrée, les adjoints du Commissaire avaient déjà passé en revue le rôle et les activités du Bureau des traductions. Ces résultats figuraient, assortis de quelques suggestions sur le recrutement, la formation et la terminologie, dans le deuxième rapport annuel, déposé en janvier 1973. Loin de clore la réflexion du Commissaire sur ce beau sujet, cette étude ne représentait que le premier pas vers l'ouverture d'un dialogue réaliste en vue d'une réforme dans ce secteur. Quant à la C.F.P., le même rapport récapitulait quelques-uns des principaux maux y affligant les cours de langue et présentait des solutions, par exemple, la formation continue et son extension à une clientèle élargie, remèdes intégrés depuis lors au traitement officiel. Le bureau du Commissaire avait en outre, dès août 1972, fait de cet organisme l'objectif prioritaire d'une prochaine étude plus approfondie. A la mi-octobre, un plan d'étude était prêt, les recherches préliminaires achevées, la liste des documents nécessaires établie, et le bureau avait examiné 51 plaintes déposées jusqu'alors contre la C.F.P. Mais, un peu en raison des concours de recrutement tenus au bureau du Commissaire et beaucoup par suite de la plainte du *Devoir* et des documents justificatifs qui y étaient joints, elle fut reportée à mars



adressées par le Commissaire à ces institutions court le risque de perdre la priorité parfois encore fragile, dont elle bénéficiait.

C'est dès à présent qu'il faut observer la Loi sur les langues officielles, certes en lui apportant tous les ajustements raisonnables sur les plans humain et technique. Nulle part, en effet, il n'y est prévu que son application puisse être renvoyée *sine die* ou mise en veilleuse au profit de quelque mesure administrative que ce soit. Ce que vise directement le Commissaire à travers ses recommandations, c'est la conformité aux prescriptions de la loi, et il espère que ses incitations ont parfois une certaine raison d'être. Car il ne faudrait pas que les contingences du programme des postes bilingues servent de justification aux reports et aux retards dans leur mise en œuvre, qui doit se faire au plus tôt.

Le gouvernement gouverne, mais c'est le Parlement qui fait la loi. En opportuniste linguistique avéré qu'il est, le Commissaire, conscient d'être le serviteur et non le porte-parole de cette assemblée, ne saurait néanmoins se faire scrupule de tenter d'exploiter à fond cette lapalissade constitutionnelle pour la « bonne cause ».

### 3. Le Devoir fait son devoir : cachez ce sèing que je ne saurais voir

C'était le matin du 18 octobre 1972. A Ottawa, les lecteurs du quotidien montréalais *Le Devoir* digéraient leurs œufs au bacon avec plus ou moins de sérénité. Les employés des administrations savouraient leur petit déjeuner, agités qu'ils étaient d'une vive inquiétude, qui d'une délectation fébrile; à douze jours des élections générales, les politiciens réévaluaient frénétiquement l'importance du « bilinguisme » dans la campagne électorale; les responsables du Secrétariat du Conseil du trésor et de la Commission de la fonction publique passaient du breuvage fort de café au Sanka; quant au Commissaire, pour qui cette journée semblaît ne devoir apporter que le lot ordinaire de crises et de désastres, il songea brièvement à retourner se coucher : on venait de lui remettre publiquement six volumes de documents officiels « empruntés », agré-mentés d'une plainte dont la portée dépassait tout ce qu'il avait reçu jusque-là et qui devait modifier son ordre de priorité en matière de réforme linguistique pendant plus d'un an.

A l'origine de toutes ces réactions se trouvait une manchette du *Devoir* : « Les programmes de bilinguisme sont inefficaces et insuffisants ». Ce titre cachait plusieurs pages extraites d'études réalisées par le Groupe d'étude sur le bilinguisme pour le compte du Conseil du trésor et mystérieusement tombées entre les mains des journalistes, quoiqu'elles fussent censées être confidentielles (de fait, les six études devaient arriver peu après par courrier recommandé), ainsi qu'un éditorial en forme de lettre ouverte au Commissaire l'invitant à étudier

en particulier, les répercussions effectives soient connues, régulièrement, en détail, par voie statistique même, de manière à permettre à l'institution de dresser des plans et d'exercer son pouvoir de surveillance et de commandement — et par la même occasion, au Commissaire, de faire son rapport sur l'état de la question au Parlement.

Si les aménagements administratifs instaurés pour assurer la mise en œuvre des recommandations du Commissaire n'atteignent pas ces fins, on ne peut que les juger « inopérantes », pour reprendre un terme en vogue naguère à la Maison Blanche. Certaines institutions satisfont d'ores et déjà à ces conditions. Mais non la plupart. Tantôt c'est l'insuffisance du personnel affecté à la tâche qui est la cause de cet échec, auquel cas le résultat se traduit par des retards et par un sentiment de frustration chez les employés, quand cela ne va pas jusqu'à les plonger dans cette pathétique situation où, surchargés de travail, ils doivent par surcroît servir de têtes de Turc pour les contre-performances de leur administration. Tantôt l'échec est imputable à la complexité consubstantielle des circuits de contrôle et de communication hiérarchique, qui, par le lourd tribut horaire qu'ils imposent, repoussent aux calendes grecques l'échéance fixée pour les opérations de suivi. En pareils cas, même si le Commissaire reconnaît que les méthodes sont peut-être admirablement adaptées aux besoins courants de la direction, force lui est, en premier lieu, d'affirmer avec vigueur le devoir qui lui incombe de rendre exactement compte au Parlement, et en second lieu, de rappeler aux administrateurs tout le souci du détail et du concret que cette nécessité implique quant à l'information qu'ils se doivent de présenter à ce même Parlement par son truchement. La mobilisation de ces renseignements sur la progression linguistique devrait d'ailleurs s'avérer fort utile aux états-majors dans leur quête d'une appréhension globale de leur institution, ne serait-ce qu'en leur offrant peut-être la possibilité de se méprendre en deux langues au lieu d'une.

*!) La nouvelle maladie du sommeil — Mais dis-moi, ô Tse-Tsé, aurais-tu donc fait mouche ?*

Le Commissaire craint fort que le programme lancé par le Conseil du trésor en vue du recensement et de la désignation des postes bilingues (sans oublier la fixation de dates d'effet à cette fin) n'ait absorbé, dans certaines administrations fédérales, du moins jusqu'au 31 décembre 1973, une bonne partie du temps et de l'énergie qu'autrement on aurait pu consacrer à l'implantation du bilinguisme institutionnel. Il s'ensuit, d'autant que le processus de désignation est appelé à se prolonger pour des milliers de postes, que la mise en œuvre des recommandations

tent vaguement de « soulever le problème » avec les concessionnaires et d'incorporer une clause de bilinguisme aux contrats, lorsqu'ils seront renouvelés — ce qui peut parfois prendre jusqu'à un lustre.

Certains concessionnaires (dans les aéroports, par exemple) sont eux-mêmes des institutions fédérales et n'ont donc aucune excuse pour ne pas fournir leurs services dans les deux langues. D'autres sont des grosses sociétés privées qui disposent de ressources, d'une marge de manœuvre interne et du personnel suffisants pour se conformer à la loi. D'autres sont par contre de petites entreprises familiales qui peuvent difficilement absorber les frais supplémentaires d'une bilinguisation du service. Aussi, les administrations fédérales baillereses devraient, semble-t-il, adopter une attitude réellement persuasive à l'égard de tous les concessionnaires, en mettant au point une gamme de mesures ingénieuses propres à faciliter leur conversion, de façon à instaurer des services bilingues durables là où le besoin s'en fait sentir. C'est à elles, après tout, et non aux concessionnaires, qu'il incombe au premier chef de se conformer à la loi.

Les législateurs n'avaient nullement l'intention, c'est évident, de conduire le petit concessionnaire à la faillite. Mais il est non moins certain qu'il n'entrerait pas d'avantage dans leur intention, aux termes de l'article 10(1), de priver les voyageurs de services dans la langue de leur choix uniquement parce qu'ils se trouvent avoir affaire non pas à l'institution même, mais à une société privée liée à celle-ci par contrat. Le service dans les deux langues officielles suppose la gamme complète des services fournis dans toute enceinte fédérale; le voyageur ne comprendra, ni ne tolérera, les avocasseries de fonctionnaires appartenant ment terrorisés par les grosses entreprises qui profitent du privilège de monopoles garantis par l'Etat.

# *1) Préservation (et dénombrement) de la grande famille*

Même avec les meilleures intentions du monde et sans obstacles de compréhension ou de procédure à franchir, une institution fédérale peut fort bien tarder à se mettre en règle avec la loi. L'attitude des états-majors et les encouragements qu'on leur voit prodiguer se reflètent très vite à tous les autres échelons.

Les bonnes intentions, nous dit le proverbe, ne suffisent pas. Si l'on veut imprimer une direction nouvelle, ou de nouvelles perspectives, à une institution, il faut absolument désigner un responsable à cette fin. Cette personne devrait se voir investir de l'autorité et des moyens de parler au nom de l'état-majors (ou par son canal), pour communiquer les impulsions du haut en bas de l'échelle hiérarchique et susciter la rétroaction quant aux résultats. Il faut que toutes les mesures prises et,



semble à admettre, il n'en reste pas moins que cette situation fâcheuse se prolonge et qu'elle exhale des relents de mauvaise volonté ou d'inefficacité (ou un mélange des deux); aujourd'hui encore, on aborde ce point de symbolique, relativement simple mais nullement insignifiant, au ralenti quand ce n'est pas avec mollesse et bien souvent négligence. Et l'on peut en dire autant des formulaires à l'usage des administrés, des publications fédérales, de l'utilisation équilibrée des media dans les deux langues pour l'information et la publicité, et des annonces au public. Il s'agit pourtant là d'un domaine matériel où l'on pourrait, sans trop de difficulté, cerner les problèmes, ordonner les éléments de solution et régler la question une fois pour toutes, dans un délai relativement bref. Que tant de temps après l'adoption de la loi, son inobservation dans la lettre et l'esprit transparaissent visuellement et oralement à travers des manifestations aussi élémentaires et évidentes, voilà qui entache sérieusement la crédibilité de tous ceux qui sont chargés de réaliser l'intention du législateur, et bien pis, la crédibilité de la loi. Même si l'on admet qu'un certain délai d'exécution peut se révéler nécessaire pour appliquer la loi dans ses aspects les plus complexes et les plus délicats sur le plan humain, il reste impardonnable qu'il ait fallu plus de quatre ans pour « bilinguiser » la majeure partie de la signalisation, des formulaires, des publications d'intérêt général et autres imprimés.

C'est une bien maigre consolation que de s'entendre dire que la signalisation relève du ministère des Travaux publics et non de tel autre ministère ou organisme, qu'on attend depuis belle lurette de connaître les résultats officiels du Programme de diffusion du symbole fédéral, ou encore que les relations publiques de telle institution risqueraient d'être compromises par l'adoption « brutale » d'une image « bilingue ». Des excuses de ce cru ne font guère que confirmer les pires impressions que l'aise déjà une réforme avançant à pas de tortue dans des secteurs tellement exposés au regard et où il est si facile d'agir.

## *h) Mercenaires ou porte-étendard ?*

Il est un autre domaine où ministères et organismes ont également fait preuve d'une propension marquée à l'atermoiement, c'est celui des concessionnaires. La mauvaise volonté à respecter l'exigence qu'impose la loi aux concessionnaires, comme aux administrations, de servir les voyageurs dans les deux langues semble être monnaie courante. Certains responsables tentent d'esquiver la difficulté à l'aide de subterfuges divers, en donnant, par exemple, une interprétation excessivement étroite aux prescriptions de la loi, ou un sens restrictif à l'expression « un contrat de fourniture de . . . services . . . » D'autres moins hardis encore, promet-

— et ce correctement — depuis bientôt cinq ans ? Aussi difficile que cela désignées par la loi n'aient pas été dans leur quasi-totalité « bilinguises » écritéaux, tant extérieurs qu'intérieurs, des lieux fédéraux nommément Mais pour la signalisation ? Comment justifier que les panneaux et dans les deux langues la correspondance et autres documents.

Chacun s'accorde à reconnaître que la réalisation du bilinguisme institutionnel dans le domaine du personnel par le biais du recrutement, de la formation et de l'affectation peut susciter contretemps, complexés et complications. Il faudra de l'imagination, de l'ingéniosité et de la discipline pour faire face, avec diligence et fidélité, aux besoins quotidiens de la traduction en attendant que l'on produise de manière satisfaisante inexplicables, à coup sûr effarants.

Quelques circonstances atténuantes que l'on trouve à l'inertie que rencontre l'application de la loi, il est en matière de service bilingue certains aspects qui accusent toujours des retards et des insuffisances, sinon

8) *Des signes, des symboles. . . et des poules d'eau : des entrailles de mauvais augure ?*

C'est là une des « choses de la vie » dont doivent tenir compte les dirigeants et le public. Lorsque le Commissaire adresse ses recommandations à une institution, au terme d'une étude spéciale ou de l'insuccès d'une plainte, c'est justement pour tenter de l'aider en posant quelques jalons, et c'est bien ainsi, au demeurant, qu'on l'a compris. Depuis environ le début de 1973, le gouvernement et les organismes centraux les plus directement concernés (le Conseil du trésor et la Commission de la fonction publique) ont pris des mesures visant à accroître et à mieux coordonner l'activité de l'ensemble de l'appareil fédéral dans le secteur des langues officielles. Quatre ans et demi après l'entrée en vigueur de la loi, les retombées de cette manifestation d'autorité sont encore loin d'être spectaculaires. Mais, pour peu que les organismes centraux persévèrent et s'affirment dans leur mission, en intensifiant leurs efforts, ils devraient réussir à sortir les administrateurs des ornieres de l'inhibition, en leur montrant comment jeter un pont entre l'idée et l'acte.

bles de réorientation à brève échéance. C'est là une des « choses de la vie » dont doivent tenir compte les dirigeants et le public. Lorsque le Commissaire adresse ses recommandations à une institution, au terme d'une étude spéciale ou de l'insuccès d'une plainte, c'est justement pour tenter de l'aider en posant quelques jalons, et c'est bien ainsi, au demeurant, qu'on l'a compris. Depuis environ le début de 1973, le gouvernement et les organismes centraux les plus directement concernés (le Conseil du trésor et la Commission de la fonction publique) ont pris des mesures visant à accroître et à mieux coordonner l'activité de l'ensemble de l'appareil fédéral dans le secteur des langues officielles. Quatre ans et demi après l'entrée en vigueur de la loi, les retombées de cette manifestation d'autorité sont encore loin d'être spectaculaires. Mais, pour peu que les organismes centraux persévèrent et s'affirment dans leur mission, en intensifiant leurs efforts, ils devraient réussir à sortir les administrateurs des ornieres de l'inhibition, en leur montrant comment jeter un pont entre l'idée et l'acte.

ins ne devaient-ils pas hésiter à se mêler de leurs propres affaires. Leur indifférence splénétique, hélas, fait tache d'huile.

#### e) *Simulacre ou idolaire ?*

Les fonctionnaires, le Commissaire le sait bien, ne partagent pas tous sa vision quasi extatique de nos deux langues officielles; en un mot, pour plus d'un, quelle scie ! Et ils sont nombreux à croire, et à espérer, que cette misérable affaire de langue s'évanouira dans les brumes crépusculaires de l'inertie administrative. Pour qu'il en soit ainsi, il faut, et ils le savent bien, suivre la voie royale des grandes bureaucraties : l'invention dans l'obstruction ou la simplification absolue de l'action. Mais, pour être convaincant, cet artifice, par lequel on dit des lèvres sans y mettre le cœur, exige, comme tous les beaux-arts, force temps et énergie; d'autant plus que pour ralentir l'avance de deux langues, il faut savoir retenir la sienne.

Or, le labeur obstiné que suppose ce sombre sabotage n'est certes pas moindre que l'effort salutaire à fournir pour arriver au bout de ses peines. C'est pourquoi le Commissaire convie les réticents et récalcitrants à réfléchir sur leur propre crise énergétique. Qu'ils admettent de bonne grâce la quasi-irrévocabilité de la loi, et ils trouveront, croit-il, la sérénité s'ils emploient le meilleur d'eux-mêmes à bannir le « bilinguisme », en métamorphosant cette bête noire en une mascotte souriante. N'en déplaise à Browning et Mies van der Rohe, le moins est parfois l'ennemi du bien.

#### f) *Des cocos verts ça fait bobo au coco !*

Il serait cependant quelque peu simpliste d'imputer la langueur mise par maints ministères à agir pour faire appliquer la loi à l'hostilité d'une poignée de fonctionnaires ou encore à l'indifférence ou l'incompétence des gestionnaires. Pareil train de torture tient, entre autres raisons, à l'obstacle éminemment pratique dressé sur le passage de la conception à l'action. D'ordinaire, ministères et organismes se voient chargés d'appliquer les lois du Parlement dans des secteurs qui font appel à leur spécialisation et à leur expérience. Or voici qu'en 1969, la Loi sur les langues officielles leur impose une tâche tout à fait extérieure à leur champ de compétence habituel. A vrai dire, cette loi, qui expose en termes souvent gênants les nouvelles obligations linguistiques, ne leur offre, en fait d'étapes, de bornes et repères administratifs, qu'une piste mal tracée voire brouillée. Il peut paraître — peut-être l'est-ce réellement — rébarbatif d'avoir à transcrire les principes et prescriptions de la loi en mesures, objectifs, méthodes, modalités et calendriers précis, de



plissent les ministères, chacun dans sa propre paroiase, rares sont ceux de drame en mélodrame, tels des chevaliers errants lancés malgré eux à l'aventure. A ruer à hue et à dia, aux temps de tohu-bohu, les ministères, immobiles à grands pas, ne font en somme que tourner en rond autour des buts de la Loi sur les langues officielles, qu'ils sont loin d'approcher dans une démarche cohérente.

La fonction publique fédérale est sérieusement infiltrée par les spécialistes en systémique et management. Le Conseil du trésor a su, pour sa part, en affriander une fraction qu'il a affectée aux affaires linguistiques dans sa propre maison; mais il devrait presser les autres ministères de mobiliser quelques-uns de leurs petits prodiges de l'organisation au service de la cause linguistique, sans quoi la Direction des langues officielles du Conseil risque de plus en plus de s'ériger en tour d'ivoire, sinon de Babel, où des clercs passeront le plus clair de leur temps à diagrammer des prouesses pan-gouvernementales qui ne brillent que sur le papier. De grands départements de l'État, légats de légions d'analystes systémiciens et de gestionnaires hautement spécialisés, et où des cerveaux électroniques traitent jour après jour des archives de données absconses, devraient pouvoir, dans l'autorégulation, la rigueur et l'harmonie, un tant soit peu ordonner, prévoir et planifier en un domaine d'une aussi élémentaire justice.

*d) Le chef doit se montrer omniscient*

Ce n'est pas parce qu'une institution fédérale se décentralise que son état-major doit cultiver, de propos délibéré, l'ignorance des agissements de l'arrière. Pour d'aucuns, en effet, dès lors que le siège délègue une partie de ses pouvoirs aux régions, c'est un sacrilège, un affreux affront aux principes du management moderne que d'instaurer un mécanisme central de surveillance ou de suivi linguistique. Pourtant, en dominant libre cours à ces exercices de délégation de fonctions, on risque de fonder une curieuse forme de féodalité où les barons de chaque région lèveraient troupes et taxes pour des opérations que leurs suzerains d'Ottawa, et encore moins le Parlement, n'auraient peut-être jamais envisagées. Si les chefs d'institution ne contrôlent pas le déroulement d'un programme majeur comme celui des langues officielles, ni le Conseil du trésor, pour le compte du gouvernement, ni le Commissaire, au nom du Parlement, ne seront en mesure . . . de mesurer avec précision les progrès accomplis. Dans toute institution, c'est la haute direction qui est en dernier ressort responsable de l'application de la politique gouvernementale dans tous les aspects qui la touchent; ainsi, en matière de langues, comme en tout autre domaine qui les concerne, les manda-

nément et universellement. Ces paradis de papier où les généralités verbuses, car il ne s'agit même pas d'information, tiennent lieu d'action ne mènent pas au progrès, mais plutôt, par l'accentuation du doute, à la paranoya.

Deux remèdes viennent à l'esprit pour soigner cette maladie administrative. D'une part, chaque ministère ou organisme devrait énoncer en termes clairs et précis les devoirs et droits concrets que la Loi sur les langues officielles confère à leurs employés dans le cadre de l'institution. Le Conseil du trésor, ou, pour tout ce qui déborde son aire de compétence, le bureau du Commissaire pourraient les y aider en se chargeant de la vérification d'un tel matériel documentaire avant sa distribution. D'autre part, le Commissaire est cette année plus convaincu encore que ce sont les « mandarins itinérants » de chaque organisme, qui, assistés s'ils le désirent d'experts du Conseil du trésor, de la Commission de la fonction publique, de son propre bureau, et, pourquoi pas, des associations d'employés, peuvent le mieux colmater la brèche béante de l'information en matière linguistique. La simple et souple justice de la loi pourrait toucher juste, avec force et clarté, les deux qualités qui précisément lui manquent aux yeux de beaucoup, si l'on organise systématiquement des réunions, à participation volontaire, entre les employés locaux et les chefs des administrations centrales (informés et assistés par les experts susmentionnés). Les gros galons de l'armée en ont fait l'essai; ils s'en sont bien trouvés, et plusieurs milliers de soldats, par la même occasion. Les généraux du civil seraient donc bien avisés, eux aussi, de visiter leurs lignes avancées.

### *c) Notre ordinateur ne sait que le souhéli*

Au travers de quelque 2 500 plaintes et 45 études spéciales, le Commissaire et ses collaborateurs ont découvert que rarissimes étaient les institutions ayant mis au point un programme cohérent et systématique d'application de la loi. Il se demande où sont donc passés les lauréats du programme CAP (Cours et affectations de perfectionnement) et autres « managers formés », dont le gouvernement s'enorgueillit à si juste titre. Ce manager imperturbable et informatisant qu'accrédite la légende outaouaise ne devrait pas travailler, il faut le souhaiter, en régime « ad hococratique » — c'est-à-dire ne pas pratiquer cette politique du pire qui, selon Alain, est d'adorer l'opportunisme —, en temporisant, pour actionner la sirène d'alarme, jusqu'à ce que le Commissaire avise officiellement un sous-ministre de son intention d'enquêter. La gestion « en catastrophe » a beau être une science fort respectable, les gestionnaires ne devraient pas attendre d'être confrontés à la crise mais normalement s'efforcer de la conjurer par une sage planification à long terme. Quels que soient les miracles qu'accom-

a) *Théologie tribale : le fossé qui sépare la foi des œuvres*

Au siège des institutions fédérales, la plupart des administrateurs de haut rang semblent bien manifester un attachement de principe à la loi. Dans certains cas, leurs bonnes intentions sont d'ailleurs couchées dans un énoncé de politique quelque peu synoptique. Un petit nombre de ministères, notamment celui de la Main-d'œuvre et de l'Immigration, ont même pris la peine de préparer un guide détaillé des langues officielles pour leurs employés, souci qui leur fait honneur.

Toutefois, il est plus facile de rédiger une déclaration de principes que de donner une suite concrète aux protestations de bonnes intentions prodiguées par les directions. Souvent, il y a bien loin de la parole à l'acte; souvent en effet, de telles déclarations se cantonnent dans la rhétorique, les hauts fonctionnaires s'adonnant alors, sans doute en toute sincérité et avec délectation, à un long rituel de simulacre d'action en vue de trouver les voies et moyens leur permettant d'atteindre leurs buts. En d'autres cas, des manifestes aux relivres impressionnantes deviennent incontinent des pièces de musée, leur cours, mais non leur application, se voyant prorogé d'année en année jusqu'à ce qu'ils inspirent enfin la vénération en lieu et guise de réforme. Aucune disposition de la Loi sur les langues officielles ne prévoit de mesurer l'évolution qui se fait par la chronophotographie; la loi exige *hic et nunc* des réformes, du moins des que leur mise en œuvre peut se faire avec humanité envers les employés. C'est pourquoi la première tâche dans toute enquête sur la chose linguistique consiste à isoler les facteurs qui déterminent les problèmes particuliers de chaque institution et qui retardent la traduction en actes de la volonté affichée par la direction. Ces facteurs, qui peuvent être multiples, le Commissaire s'efforce, au travers de ses recommandations, de les prendre tous en compte, et au cas fort improbable, par exemple, où « bilinguisme » et sécurité pour-raient se trouver en contradiction, tout normalement zélé qu'il soit, il préférera certainement atterrir sain et sauf dans une vieille carcasse unilingue à trouver la mort dans une grosse carlingue bilingue.

b) *Les tans-tans ne pourraient-ils passer le mot ?*

A l'ère du téléphone, du télégramme et du télex et même de la télépathie, neuf fois sur dix, les enquêtes conduites par le Commissaire révèlent que l'information sur la politique linguistique des états-majors ne parvient que rarement à filtrer par la filière pour descendre du sommet de l'échelle hiérarchique jusqu'aux hommes du front, à leurs guichets, ou même de l'arrière, à leurs pupitres, dans les bureaux locaux et régionaux. Trop souvent, aux yeux de l'administration centrale, ré-diger une note de service, c'est déjà appliquer une directive, instantanément



progrès à son crédit, elle veut désormais sincèrement associer les syndicalistes à la réforme. De par sa qualité même, elle suscite à nouveau l'espérance, beaucoup plus grande que par le passé, d'un véritable leadership et d'une gestion marquée au coin de la fermeté mais aussi du bon sens et de l'humanité. Pour réaliser ces promesses, encore faudrait-il, aussi et enfin, utiliser de façon systématique, à titre d'agents de changement et d'information, ces alliés naturels des ministères trop souvent négligés, les conseillers en bilinguisme, puisqu'il faut les appeler par leur nom.

En affirmant avec force son autorité, le Conseil sera parfois amené à proposer, voire imposer, des réformes qui inscriront le français comme langue de travail, et dans les textes et dans la réalité, et qui, de ce fait, pourraient fort bien ne pas exaucer tous les vœux ni apaiser toutes les craintes d'une fonction publique encore anglophone dans son immense majorité. Les dirigeants syndicaux suffisamment éclairés ne manqueront pas d'appuyer de telles actions; en tout état de cause la détermination du Conseil dans ce domaine sera sans nul doute mise à rude épreuve. S'il prend sa mission de progrès aussi au sérieux qu'il le proclame, il devrait dorénavant pouvoir consacrer autant de temps à convaincre les Canadiens francophones que l'ère des vœux pieux est révolue qu'il en a passé à rassurer les Canadiens anglophones en leur garantissant un bilinguisme sans douleur, à l'égard de la nouvelle dentisterie.

## 2. *L'art de ne pas glisser de lisse en glaise... ou les voies de l'immobilisme*

Plus l'équipe du Commissaire s'enfonce dans les études et enquêtes, plus elle soulève le voile sur des problèmes universels. Certes, dans chaque ministère ou organisme, la lisière de la jungle des langues officielles ne présente pas partout la même végétation, mais dès qu'on pénètre la forêt plus avant, on retrouve assez régulièrement les mêmes espèces d'arbres; d'où le leitmotiv qui rythme nombre de recommandations du Commissaire.

Aux mêmes maux mêmes remèdes, mais à chaque patient un petit traitement personnalisé. Malgré certaines similitudes de surface, le lecteur constatera que les recommandations du Commissaire essaient de réfléchir les facettes caractéristiques de chaque institution fédérale. Voici donc quelques thèmes relevés récemment à l'occasion d'études spéciales du siège de divers organismes ou lors de l'insurrection de plaintes déposées à leur endroit. Les responsables de la politique linguistique du gouvernement au sein du Conseil du trésor, de la Commission de la fonction publique, et ailleurs, reconnaîtreont certainement la quelques accents douloureux qui leur sont familiers.

entière et dépend désormais (comme le souhaitait le Commissaire) d'un sous-secrétaire investi à plein temps de ce mandat. Cet étioffement de l'administration chargée des questions linguistiques présente un triple avantage : 1) tout d'abord, le Conseil peut maintenant imposer des transformations majeures au sein des ministères et organismes fédéraux sans devoir, pour ce faire, forcer le passage à travers une filière extrêmement complexe; 2) cette preuve éclatante de la priorité insigne et durable enfin accordée par le gouvernement à la réforme linguistique peut dessiller les yeux des « mandarins », cette espèce éminemment consciente de l'importance politique et symbolique qu'on attache, à Ottawa, à la structure fortement hiérarchisée de la faune fédérale; 3) et, du point de vue sans doute numbrilliste du Commissaire, l'entrée en scène d'un interlocuteur puissant, émanant de l'exécutif, ne peut qu'induire une tension créatrice intense, ou, plus modestement, génératrice de toniques confrontations d'idées. Il est enfin possible aux « linguocrates » des deux parties, le Commissaire et les représentants du Conseil (ainsi que ceux de la C.F.P.), de négocier entre interlocuteurs valables habilités à trancher en frisant le définitif, sans pour autant transiger avec leurs responsabilités.

Le Commissaire serait malvenu à disséquer l'organigramme de la Direction des langues officielles et à formuler un jugement de valeur à son égard, car il a déjà assez de peine à appréhender la structure de son propre bureau, si petit pourtant. Il se contentera donc de noter que les trois divisions de ce service (Politique et planification, Opérations, Groupe des programmes d'information) semblent se compléter à merveille, sur le papier, et peut-être bien d'ailleurs dans la réalité.

Quels mobiles animent donc maintenant les A.L.O.S. (agents des langues officielles) ? Depuis juin 1973, il se sont essentiellement attachés à établir, et par la suite à énoncer, les exigences linguistiques d'à peu près 250 000 postes dans la fonction publique. Les monceaux de cryptogrammes qui jonchent les bureaux des sous-ministres et des chefs du personnel suffiront à convaincre chacun, hormis les incrédules invétérés, que le Conseil et ses A.L.O.S. n'ont pas chômé. Les résultats de cet immense effort de « linguisation » de chaque poste de la fonction publique ne semblent encore guère de nature à révolutionner le statut des Canadiens francophones, unilingues ou même bilingues, au service de l'Etat dans « leur » pays. Il faut derechef exhorter le Conseil à se montrer bien plus attentif à ce double besoin de réforme des structures gouvernementales, notamment en élargissant et en valorisant les unités de langue française (U.L.F.), de façon que ces structures se prêtent mieux au recrutement de citoyens unilingues français désireux de travailler dans leur langue.

La nouvelle brigade des langues du Conseil du trésor ne manque assurément ni de finesse ni d'enthousiasme; de plus, et c'est là un grand

toutes fins utiles, semble n'avoir d'autre but que de rassurer les employés anglophones unilingues (bien que les garanties offertes fussent les mêmes pour les deux groupes linguistiques). Le Commissaire aimerait profiter de l'occasion qui se présente pour réaffirmer ici sa conviction profonde que, faute d'une action prompte et décisive débouchant sur une politique d'ensemble pour étendre l'utilisation du français comme langue de travail dans l'administration fédérale, l'on verra se développer d'ici un an ou deux un « scepticisme français » bien plus dommageable à la cause du bilinguisme que le fameux « ressac anglais », sans doute monté un peu trop en épingle.

La quatrième tâche du Conseil, à savoir l'évaluation des progrès passés et présents, englobe les études (dont certaines sont, au grand dam du gouvernement, mystérieusement « tombées entre les mains » de la presse), les analyses statistiques et la supervision des diverses administrations, y compris la sienne propre. À ce titre, le Conseil pourrait être, au premier chef, un artisan du mouvement, dans la mesure où il n'hésitera pas à recourir, pour faire pression sur les différentes institutions, à toute l'autorité dont le Parlement l'a investie et à l'arsenal financier qu'il a mis à sa disposition. Le Commissaire serait, pour sa part, fort satisfait de voir le Conseil talonner les ministères qui se font tirer l'oreille pour donner suite à ses recommandations. En effet, le greffier du Conseil privé transmet au Secrétaire du Conseil du trésor les centaines de recommandations faites chaque année par le Commissaire. Que le Secréariat fasse ou non usage de ces moyens d'action tout trouvés, le Commissaire, quant à lui, continuera, dans chacun de ses rapports annuels au Parlement, d'intensifier son « harcèlement » des ministères et d'accomplir le devoir qui lui incombe de tomber à bras raccourcis sur les délinquants, ainsi que d'encourager les amis de la loi.

La cinquième et dernière fonction que le Conseil s'est lui-même attribuée concerne l'information « des employés fédéraux et autres intéressés . . . ». Moins on épiloguera sur ce sujet, mieux cela vaudra, car, de l'avis du Commissaire, le Conseil n'a quasiment rien dit à qui que ce soit, du moins dans un langage immédiatement compréhensible. On trouvera, un peu plus loin dans ce chapitre, une section intitulée « *La lumière de l'information étendra-t-elle enfin la chaleur des passions ?* » où sont exposées, à côté de quelques bons points soulignant certaines innovations heureuses du Conseil, les raisons motivant ce jugement de pisse-vinaigre.

Sa structure confère maintenant à la toute nouvelle Direction des langues officielles le rang et le poids que le Commissaire n'était pas le seul à juger indispensables, au sein de l'inéluctable hiérarchie, pour donner vraiment corps à la loi. C'est la petite Division du bilinguisme qui, ayant pris du galon en un an, a été promue « Direction » à part



1973, et dans un compte rendu circonstancié de l'étude entreprise par le Commissaire sur le rôle du Conseil que le lecteur trouvera au chapitre III, intitulé quelque peu pompeusement « Petit florilège amical ».

La Direction des langues officielles définit sa mission de la façon suivante : « élaborer et diffuser les politiques et les programmes du gouvernement fédéral visant à l'application de la Loi sur les langues officielles à l'intérieur de la fonction publique, ainsi que surveiller leur mise en œuvre et évaluer leur efficacité ». Ce mandat, qui lui donne autorité sur tous les secteurs du bilinguisme ne relevant pas de la Commission de la fonction publique, vise l'ensemble des ministères et organismes contrôlés par le Conseil au titre de la Loi sur l'administration financière, soit 250 000 employés fédéraux sur un total d'à peu près 500 000. Voilà qui confère au Conseil un rôle de tout premier plan aux virtualités immenses, même s'il reste ainsi peut-être 250 000 employés fédéraux qui doivent, pour satisfaire aux exigences de la réforme linguistique, s'en remettre au Commissaire, le seul fonctionnaire ou organisme fédéral chargé d'indisposer en la matière, tout le monde et son petit frère.

Le mandat du Conseil comporte cinq grandes catégories d'attributions. Tout d'abord, conformément à la résolution de juin 1973, cet organisme a établi, à l'intention de ses administrations clientes, les principes directeurs et règles générales à appliquer pour recenser et désigner selon leurs exigences linguistiques tous les postes de la fonction publique. Cette œuvre de titan, qui a mobilisé des centaines de fonctionnaires (surtout dans les services du personnel), a été menée à bien au cours du second semestre 1973, ses résultats étant fichés sur ordinateur à la fin de l'année. En second lieu, le Conseil est chargé (conjointement avec la C.F.P.) de conseiller les divers ministères et organismes en toute matière de langue, ainsi que de les aider à mettre en œuvre des « stratégies et programmes » linguistiques, encore trop souvent timides et fragmentaires, ou même inexistantes. Il faut espérer qu'en vertu de cette tâche, les institutions concernées se verront priées de procéder de façon plus diligente et plus rationnelle aux modifications « visuelles » (signalisation, formulaires, etc.) faciles à réaliser et retardées sans excuse valable. Troisièmement, et suivant en ceci la seconde partie de la résolution parlémentaire, couchée en termes beaucoup moins précis, le Conseil « élabore un certain nombre de mesures destinées à accroître l'usage du français dans l'ensemble de la fonction publique. » À ce propos, le Commissaire n'a pas l'impression de calomnier gratuitement le Conseil en lui faisant remarquer qu'il lui reste à consacrer à cet aspect crucial de la réforme le dixième de l'énergie et de l'ingéniosité qu'il a dépensées à mettre en œuvre la première partie de cette même résolution qui,

Il faudra attendre un à deux ans pour juger si la Direction peut vraiment déplacer la montagne du bilinguisme. Mais d'ores et déjà, peut-être n'est-il pas inutile de consacrer quelques lignes à sa mission, à sa structure et à ses préoccupations, et de signaler à son attention quelques secteurs d'inertie auxquels il sera à nouveau question des partis autres parties de ce rapport, il sera à nouveau question des partis politiques que devra tenir la nouvelle direction, lors de l'examen succinct d'une plainte très spéciale plus avant dans cette section, à l'occasion de commentaires émis sur la résolution parlementaire de juin

Dans ses deux premiers rapports, le Commissaire insinuait quelque peu lourdement que le gouvernement devrait assortir ses prophéties de paradigmes linguistiques de mesures administratives de haute volée moins rares et plus « musclées ». Quatre ans et demi après l'entrée en vigueur de la loi, il est heureux de constater qu'avec la machine administrative mise en place au sein du secrétariat du Conseil du trésor, la nouvelle Direction des langues officielles, point enfin la chance réelle, ou du moins le ferme espoir, de sauver, *in extremis*, la loi des limbes où on l'a reléguée par trop longtemps et par trop souvent. Comme son expérience politique encore fraîche lui a appris qu'il n'était pas aisé de mener, sabre au clair, des charges de cavalerie dans un marécage, le Commissaire ne peut que féliciter ceux qui ont mis en branle, même tardivement, cette équipe plutôt impressionnante de 47 linguocrates extraordinaires.

#### b) *Le Seigneur de la jungle, indomptable, saura-t-il dompter ?*

mise en place d'un nouveau système instituant quatre niveaux de priorité en la matière; ainsi «... tout employé, indépendamment de son niveau de classification, qui désire devenir bilingue et qui occupe un poste identifié ou désigné bilingue, a une priorité en matière de formation linguistique ». On espère que la taille et la gabelle prélevées sur le citoyen ne serviront plus, ou presque plus, à payer les tribulations linguistiques des seigneurs, mais bien plutôt les croisades de serfs nécessaires; car le féodalisme se meurt, même à Ottawa.

Par contre, pour les écoles de langue implantées par la Commission dans tout le pays, la révolution industrielle reste à faire. Le Commissaire souhaite on ne peut plus sincèrement qu'elles échappent aux calamités de la formation à la chaîne qui frappent déjà à l'évidence Ottawa et Hull, et répondent ainsi aux espoirs de leur dizaines de milliers d'étudiants avec l'intelligence et la souplesse d'esprit qui sont, aux yeux d'une très grande fraction du public, la précieuse contrepartie du prix à payer pour que ces écoles, et la loi elle-même, n'y perdent pas leur crédibilité.

seil risque fort, en effet, de rechigner de plus en plus à lâcher les dizaines de millions nécessaires chaque année pour les cours de langue (sans compter le financement du personnel parallèle supplantant les fonctionnaires en stage). D'un autre côté, il faut espérer que le Conseil, fonctionnaires au cours des cinq nonobstant le roulement de ses cadres supérieurs au cours des cinq années qui viennent, ne laissera pas la Commission de la fonction publique payer, financièrement et politiquement, les pots cassés, en retirant la priorité à cette œuvre de longue haleine au profit de quelque marotte budgétaire plus attrayante.

Sur le front de la formation linguistique, deux progrès notables ont été enregistrés, d'une part la fusion, au sein de la C.F.P., du Bureau des langues et du Bureau de la formation et du perfectionnement du personnel, et d'autre part l'élargissement, selon des modalités mieux définies, de l'accès aux cours de langue. En dépit des risques qu'elle a semblé susciter aux yeux de certains administrateurs francophones de la Commission accoutumés à l'autonomie du Bureau des langues, cette fusion, d'où est sortie la Direction de la formation du personnel, a sans doute le mérite psychologique d'établir un lien étroit entre les divers besoins des fonctionnaires et de mettre ainsi sur le même pied les anglophones astreints aux cours de langue et les nombreux francophones qui aspirent en vain depuis si longtemps au perfectionnement professionnel dans leur propre langue; or, il s'agit là d'une mesure essentielle si l'on veut endiguer le flot assimilateur qui emporte ces derniers vers la forteresse anglophone ! Reste à savoir si cette fusion contrôlée, libérera, à l'instar de l'indisciplinable fusion thermocyclaire, des quantités importantes d'énergie nouvelle; elle devrait cependant, à tout le moins, permettre quelques petites économies grâce au regroupement qu'elle opère entre des services pédagogiques et administratifs voués tous deux au même but, l'amélioration des qualifications.

Récemment, l'accès aux cours de langue s'est vu facilité de deux manières. En premier lieu, le principe parlementaire 9 affirmé catégoriquement un droit que le Commissaire — il aura la mauvaise grâce de le rappeler — préconise depuis deux ans déjà : « la formation linguistique sera offerte, à même les fonds publics, aux fonctionnaires unilingues ainsi qu'aux personnes venant de l'extérieur de la fonction publique qui sont nommées à des postes bilingues. » Des cours de langue « pris sur les heures de travail et aux frais de l'entreprise » lui paraissent en effet inscrits tout normalement dans la réforme linguistique « civilisée » entreprise par le gouvernement canadien; il souhaite seulement que certains organismes de la Couronne veuillent bien s'inspirer de ce principe, ne serait-ce qu'en vue des profits qu'à long terme ces entreprises, qui se déclarent à but lucratif, pourraient en tirer. En second lieu, le « droit de seigneur » dont jouissaient les mandarins dans l'accès aux cours de langue se trouvera éliminé par la





a) *La C.F.P. remet-elle, mais jumbo saura-t-il ménager la porcelaine ?*

Quand sera déposé le présent rapport, le bureau du Commissaire aura entrepris une vaste étude spéciale sur le rôle de la C.F.P. en tant qu'organisme central chargé d'appliquer la Loi sur les langues officielles, étude dont les résultats figureront dans le rapport de l'an prochain. Pour le moment, il n'est toutefois pas inutile de rappeler les quatre fonctions précises découlant pour la C.F.P. de la résolution parlementaire de juin 1973 :

- « La Commission de la fonction publique :
- 1. en collaboration avec les ministères, déterminera le niveau de la connaissance linguistique et des habiletés requises pour chaque poste et/ou groupe de postes;
- 2. déterminera le niveau de connaissance linguistique des fonctionnaires;
- 3. assurera la formation linguistique;
- 4. instruera les appels relatifs aux habiletés linguistiques exigées dans les concours. »

Ces attributions viennent s'ajouter à la principale raison d'être de cet organisme, à savoir la dotation en personnel de la fonction publique. Bien entendu, la C.F.P. n'en est pas moins tenue par la Loi sur l'emploi dans la fonction publique de respecter le principe, réaffirmé par le Parlement (n° 3), qu'« une connaissance du français et de l'anglais est un des éléments constitutifs du mérite dans la sélection des candidats aux postes bilingues. » Un peu plus avant dans ce chapitre, on trouvera les réflexions qu'a inspirées au Commissaire (au cours de son examen de la résolution en question) ce qui pourrait constituer une source de malentendu dans le nouveau contexte du « mérite linguistique » émanant du principe 4.

Les quatre fonctions fondamentales de la C.F.P. en matière de langues officielles représentent un fardeau supplémentaire considérable, qui exigera, de sa part, une inlassable attention aux moindres détails d'une foule de cas particuliers, et du Conseil du trésor, un soutien financier indéfectible. Certes, au contact de ses 250 000 administrés, la Commission a appris à « être aux petits soins » pour le commun des fonctionnaires en mal de conseils ou de justice. Mais son imagination et son agilité administrative seront mises à rude épreuve, car il lui faut désormais concevoir des techniques souples et plausibles pour l'évaluation précise des compétences linguistiques indispensables au titulaire de tel ou tel poste, et s'atteler à une tâche qui ne manquera pas de susciter les controverses : « mesurer » les connaissances en langue d'environ quarante à cinquante mille employés. Quant à sa Direction des appels, instance habilitée à réexaminer les exigences linguistiques des différents postes et les qualifications « langagières » de chaque

Depuis une cinquantaine d'années, la Commission de la fonction publique défend, sans que soit mise en cause son indépendance à l'égard du pouvoir de l'heure, l'axiome de la compétence en matière de recrutement et de promotion. Au terme de sa résolution de juin 1973, où il approuve neuf principes directeurs pour la mise en œuvre de la Loi sur les langues officielles, le Parlement ne compromet nullement la survie du plus apte (consacré par la règle du mérite), que la C.F.P. a pour mandat de protéger; en revanche, il engage clairement la Commission à accorder, dans son souci d'excellence, sa flûte au sitar de l'exécutif, qui doit faire de nécessité loi, sinon vertu — en somme, à faire couche commune avec le gouvernement. La résolution demande en effet que « ... le Conseil du trésor et la Commission de la fonction publique prennent les mesures nécessaires pour mettre en œuvre les principes susmentionnés. »

Pour que soit couronné de succès l'effort conjoint ainsi déployé en vue de traduire dans les faits, à l'intention des quelque 250 000 fonctionnaires fédéraux, les nouveaux principes du Parlement, il faudra compter sur de multiples facteurs, notamment la hardiesse et le réalisme encore inéprouvés de la politique gouvernementale. Sur ce point, le lecteur est renvoyé à une section ultérieure, où le Commissaire s'arrête un instant à quelques-unes des conséquences possibles de la résolution. Quoi qu'il en soit, toute percée décisive sur le front de la justice linguistique suppose que le délicat mécanisme de coopération mis en place par les deux organismes centraux fonctionne sans anicroche, dans le climat de bonne entente qui devra régner au niveau de leurs sphères supérieures, d'une part, et au sein de secteurs de compétences clairement délimités, d'autre part.

Dans les huit mois qui ont suivi l'adoption de cette résolution par le Parlement, les deux ou trois personnes qui trônent au faite des pyramides de la C.F.P. et du Conseil du trésor se sont trouvées plongées dans un bain de consultations plus intimes et plus fréquentes que jamais. Certes, des heurts se produisent encore entre les « techniciens » de chaque institution, c'est la chose normale; mais, pris ainsi sous le feu des projecteurs, les responsables ont appris à résoudre les conflits suscités par les chevauchements de compétences, à crever l'abcès de bisbilles idéologiques et à contrôler leurs accès d'impérialisme bureau-cratique en se retrouvant à la bonne franquette, lors de rencontres au sommet hebdomadaires, voire quotidiennes.

Mais ce qui est capital pour l'explorateur de la jungle des langues officielles, c'est le tracé des lignes de démarcation entre les divers « fiefs » de responsabilité, car malgré leur travail en tandem sur les principaux aspects de la mise en œuvre de la résolution, la C.F.P. et le Conseil du trésor remplissent des fonctions nettement distinctes.



en guerre contre le gouvernement pour l'attaquer dans ses retranchements sur ses positions informationnelles. Enfin, il persiste à marmonner les pires prophéties d'ordalie devant la « grande pitié » de l'enseignant de la langue seconde au Canada, mais en s'acharnant un peu plus cette fois à y entrevoir l'éclaircie annonciatrice d'un salut peut-être prochain, sinon absolu.

#### *A. Retour à la jungle bureaucratique : Darwin avait-il tellement tort ?*

Le passage fraye de taille plus que d'estoc à travers la jungle est quelque peu moins déroulant cette année : plusieurs responsables, auparavant éparpes, sont dorénavant regroupées entre les mains délicatement mêlées de la Commission de la fonction publique et du Conseil du trésor. Après les commentaires que lui inspire cette convergence plus efficace des énergies, le Commissaire trace une carte sommaire soulignant quelques-uns des écueils qui entravent la marche de ces institutions (et d'autres) vers l'égalité linguistique, pour enfin gloser brièvement une plainte « spéciale » dont il a été saisi quant au traitement réservé jusqu'alors par le gouvernement à la Loi sur les langues officielles.

#### *1. L'entente cordiale...*

L'année dernière, le Commissaire s'était lancé dans une petite campagne d'exploration à travers la forêt vierge des compétences administratives foisonnant sur le territoire fédéral des langues officielles. Il avait ainsi reconnu sept grands centres de responsabilité, en précisant leurs attributions respectives. Cet exercice de cartographie, assorti d'un vade-mecum de la loi à l'usage des employés fédéraux, aura épargné, espère-t-il, à quelques privilégiés la confusion où risquaient de s'enliser les amateurs en quête de certitude face aux questions de

Cette année, il lui a paru tout indiqué de braquer les projecteurs sur deux organismes centraux : la Commission de la fonction publique et le Conseil du trésor. Non qu'en vertu de la loi de la jungle, ils aient dévoré leurs congénères, mais pour la simple raison qu'est ainsi mise en lumière la réorganisation inaugurée dans leurs services, et dont, avec espérance, sinon assurance, on peut attendre que, loin de la douce « chienne » d'antan, elle inspire au gouvernement une action enfin cohérente.

# NOUVELLES MÉDITATIONS... SUR LA CHOSE BILINGUE

Fidèle en cela à ses deux prédécesseurs, le chapitre introductif donne libre cours, cette année encore, au penchant du Commissaire pour les intrusions peu ou prou constructives. En polarisant à sa façon l'attention du Parlement et du public sur une demi-douzaine de sujets qu'il juge d'actualité, le Commissaire tente de contribuer à la résolution d'un des légers paradoxes de cette société saturée d'information qu'est la nôtre : tout en sachant trop peu, on en sait parfois trop.

En matière linguistique, comme en bien d'autres, ce que recherche le grand nombre, c'est un moyen terme entre la consonne et le luxe de détails. Il semble donc utile de présenter quelques orientations ou aménagements que les personnes portées sur la chose... l'angagière (sans pour autant en être obsédées) voudraient peut-être regarder de plus près. Voici donc, à l'intention de parlementaires affairés et autres observateurs, une revue de quelques questions d'intérêt dans l'immédiat et les mois à venir. Est-il besoin de préciser que ce survol des évolutions apparentes sur le théâtre des langues officielles n'a nulle prétention olympienne, pas plus que les tableaux esquisés dans les deux premiers rapports annuels ? Ce petit panorama, parfois impressionniste, ne fait que refléter l'image la plus juste que le Commissaire et ses collaborateurs peuvent désormais se faire de quelques points méritant, à leurs yeux, plus ample discussion.

Pour planter le décor, armés d'une machette diplomatiquement émoussée, nous nous lancerons d'abord dans un petit safari à travers la jungle bureaucratique outaouaise, avant d'évoluer entre les idées tendues par le Parlement dans sa résolution de juin 1973 sur les langues officielles; après quoi nous aborderons la passe toujours périlleuse où stagnent les fonctionnaires francophones. Puis le Commissaire, dans sa danse rituelle d'indignation vertueuse s'en va-t-encore





moi-même, cerbères malgré nous néanmoins zélés, avons pu déceler dans les coins et recoins d'un Etat champion déclaré de la dignité et de l'égalité de nos deux communautés linguistiques. Tout cela, il va de soi, avec l'impartialité la plus scrupuleuse . . . par ordre alphabétique.

Le rapport étant long, l'avant-propos se devait d'être court.

K. S.

coercitifs exceptionnels que me confère l'article 30. Une diplomatie discrète, relevée à l'occasion de menues manifestations d'humour, est apparue, là encore, comme la recette la mieux indiquée.

Dans cet esprit, nous avons procédé cette année à une tâche inédite qui s'inscrit d'ailleurs, tout compte fait, dans le droit fil de notre action passée. Nous nous sommes systématiquement efforcés de faire le départ, aux yeux des parlementaires, de la presse et du public, entre ceux qui, dans cet univers fédéral de près d'un demi-million d'âmes, observent loyalement les règles de l'équité linguistique établies par la volonté du législateur, et les autres. Si, dans mon premier rapport, j'ai cherché à énoncer notre philosophie et nos méthodes, si, dans le deuxième, j'ai voulu présenter les centaines de recommandations que j'avais formulées en ma qualité première d'« ombudsman » et de « vérificateur » linguistique, je me suis proposé cette fois-ci, sans illusion aucune d'infailibilité, de retracer le sort réservé à ces recommandations et à leurs cadettes, en d'autres termes, de faire le point sur les progrès accomplis par le maximum d'institutions susceptibles d'être examinées avec sérieux en l'espace d'un an.

Depuis le tout début, en avril 1970, jamais je n'ai conçu mon rapport annuel au Parlement comme un répertoire de crimes de lèse-bilinguisme. Cette année, la première où mes collègues et moi ayons poussé aussi loin notre quête sur le respect des langues officielles du Canada par les institutions fédérales, le lecteur trouvera aussi des fleurs parmi les pierres que nous avons jetées; après tout, pourquoi les amis du bon droit linguistique ne se verraient-ils pas decerner les palmes qu'ils méritent ?

En principe, le rapport intéresse l'année financière qui s'est achevée le 31 mars 1973. En fait, pour lui épargner le risque de s'abîmer dans la poussière des archives avant même d'être déposé, nous avons pris sur nous d'y rendre compte de nos activités de « suivi » jusqu'au 30 septembre 1973. Mieux, ou pis, encore, succombant à l'insidieuse tentation de prendre de vitesse le flot constant d'informations toujours plus actuelles, toujours plus pertinentes, nous y avons même glissé ça et là, et dans la quasi-totalité des cas à l'avantage des plus authentiques réformateurs, tel écho parvenu à nos oreilles en janvier, voire à la mi-février 1974.

Nonobstant son affligeante épaisseur, notre « opuscule » se veut commode. Le chapitre premier expose un point de vue personnel et parfois, je le confesse, impressionniste sur quelques problèmes d'intérêt général. Le second donne une petite idée des conditions de vie et, éventuellement, de travail, dans l'œil du cyclone linguistique. Le chapitre III, enfin, discrètement indiscret, cherche à mettre en lumière tout ce qu'avec l'aide de maints vigilants citoyens, mes collègues et

Le présent rapport en dit plus sur le « bilinguisme » que bien des sénateurs et députés ne tiennent peut-être à en savoir. Son ampleur, supérieure encore à celle du précédent, s'explique par une double préoccupation. En premier lieu, nous avons voulu, mes collègues et moi, répondre au désir des membres de comités parlementaires qui nous ont demandé de dresser le bilan, positif ou négatif, de l'action entreprise par chaque ministère ou organisme pour appliquer la Loi sur les langues officielles. En second lieu, nous avons jugé opportun, après avoir tant déploré la lenteur du cheminement vers l'égalité linguistique, de montrer, pièces à l'appui, que nos propos n'étaient pas invariablement vaines jérémiades.

Dans l'ensemble, les faits confirment que, trop souvent, les Canadiens français continuent à se voir dénier, ou concéder à contre-cœur, des services fédéraux dans leur langue qui vont de soi partout au Canada pour les anglophones. Si l'on considère les perspectives de carrière au sein de l'administration fédérale, cette inégalité se double, malgré un léger redressement, d'un déséquilibre toujours désolant. En 1973, presque sept fois plus de postes s'offraient encore aux unilingues anglophones qu'à leurs homologues francophones; ainsi, abstraction faite des 7,6 p. 100 des emplois réclamant la connaissance des deux langues, 76 p. 100 des 98 515 vacances pourues cette année-là au titre de la Loi sur l'emploi dans la Fonction publique ne demandaient que l'anglais, contre 11,6 p. 100, n'exigeant que le français. Pour les 27 p. 100 de Canadiens de langue maternelle française, ce n'était pas précisément un coup d'État linguistique . . .

Cela dit, je me félicite de pouvoir signaler à nouveau que, parmi les quelque 180 institutions visées par la Loi sur les langues officielles, celles avec lesquelles nous avons eu des contacts nous ont presque tous, à des degrés fort variés, accordé leur collaboration. Jamais, en près de quatre ans, je n'ai été amené à recourir aux pouvoirs





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Monsieur le président  
de la Chambre des communes  
Ottawa

Monsieur le président,  
Conformément à l'article 34(1) de la Loi sur les langues officielles, je soumetts au Parlement, par votre intermédiaire, ma troisième déclaration annuelle relative à l'exercice de mes fonctions en vertu de cette loi, déclaration se rapportant à l'année financière 1972-1973.

Je vous prie d'agréer, Monsieur le président, l'assurance de ma très haute considération.

*Le Commissaire aux langues officielles*



Mars 1974





Madame la présidente  
du Sénat  
Ottawa

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*Le Commissaire aux langues officielles*

*Keith Spence*

Mars 1974

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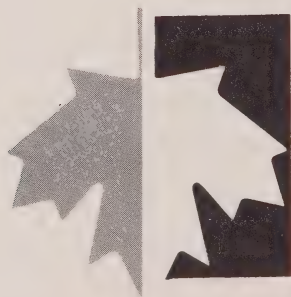
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